

a person to represent the State of Texas in a conference with representatives of the United States and the State of New Mexico with a view to negotiating an agreement concerning the storage, division and use of the waters of the Pecos River in New Mexico and Texas; authorizing the gathering of data and information necessary thereto; prescribing the authority and duties of such representatives; prescribing the method of reaching such agreement and having the same agreed to and ratified by the State Legislature and approved by the Governor; making an appropriation to carry out the purposes of the act, and declaring an emergency,"

And find the same correctly engrossed.  
DINKLE, Chairman.

Committee Room,  
Austin, Texas, March 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 435, A bill to be entitled "An Act regulating the lighting of all motor vehicles and horse drawn vehicles operating upon the highways of Texas; providing for the testing of such lighting devices and approval of same by the State Highway Commission before being used on any motor vehicle operated within this State; giving the highway commission power to test and approve such lighting devices, and providing that they shall charge a fee sufficient to cover the actual expense for conducting such test; providing penalties for the violation of this act; repealing all laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.  
DINKLE, Chairman.

Committee Room,  
Austin, Texas, March 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 44, A bill to be entitled "An Act to preserve and protect the wild fur-bearing animals of this State; declaring wild fur-bearing animals to be the property of the State; providing for the issuance of trappers' licenses and the disposition of the license fees; defining offenses and prescribing penalties for

the violation thereof; and making it the duty of the Game, Fish and Oyster Commissioner and his deputies to enforce the provisions of this act; repealing all laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.  
DINKLE, Chairman.

Committee Room,  
Austin, Texas, March 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 641, A bill to be entitled "An Act to amend Section 2, Chapter 23 of the Thirty-sixth Legislature, Second Called Session, providing for the setting apart of an amount sufficient to purchase and distribute the necessary school books for the use of the public free schools of this State; repealing all laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.  
DINKLE, Chairman.

Committee Room,  
Austin, Texas, March 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 671, A bill to be entitled "An Act to amend Section 16 of Chapter 60, General Laws, passed at the Regular Session of the Thirty-fifth Legislature, making it an offense to remove any domestic animal or animals which have been quarantined; prescribing a penalty for the violation thereof; fixing the venue where prosecutions may be had, and declaring an emergency,"

And find the same correctly engrossed.  
DINKLE, Chairman.

#### FORTY-FOURTH DAY.

(Monday, March 12, 1923.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and developed a fact that there was not a quorum present.

Mr. Burmeister moved a call of the House for the purpose of securing a

quorum, and the call was duly seconded and ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Burmeister, the Sergeant-at-Arms was instructed to bring in all absentees within the city.

The roll was again called and the following members were present:

Abney.	Howeth.
Amsler.	Hughes.
Arnold.	Hull.
Atkinson.	Irwin.
Avis.	Jacks.
Baker of Milam.	Jennings.
Baker of Orange.	Jones.
Baldwin.	Kemble.
Barker.	Lackey.
Barrett.	Laird.
Beasley.	Lane.
Bell.	LeMaster.
Bird.	Loftin.
Blount.	Looney.
Bonham.	McDaniel.
Bryant.	McDonald.
Burmeister.	McFarlane.
Cable.	McKean.
Carpenter	McNatt.
of Dallas.	Martin.
Carpenter	Mathes.
of Matagorda.	Maxwell.
Carson.	Melson.
Carter of Coke.	Merritt.
Carter of Hays.	Montgomery.
Chitwood.	Moore.
Coffee.	Morgan
Collins.	of Liberty.
Covey.	Morgan
Culp.	of Robertson.
Davis.	Pate.
Dinkle.	Patman.
Downs.	Patterson.
Driggers.	Perdue.
Duffey.	Pinkston.
Dunn.	Pool.
Edwards.	Pope.
Faubion.	Potter.
Fields.	Price.
Finlay.	Quaid.
Fugler.	Quinn.
Gipson.	Rice.
Green.	Robinson.
Hardin of Erath.	Rogers.
Hardin	Rountree.
of Kaufman.	Russell
Harris.	of Callahan.
Henderson	Sackett.
of McLennan.	Sanford.
Hendricks.	Satterwhite.

Shearer.	Stroder.
Shires.	Sweet.
Simpson.	Teer.
Smith.	Thrasher.
Sparkman.	Turner.
Stell.	Vaughan.
Stevens.	Wallace.
Stewart	Wells.
of Edwards.	Westbrook.
Stewart of Jasper.	Williamson.
Stewart of Reeves.	Wilson.
Stiernberg.	Winfree.
Storey.	Young.

Absent.

Davenport.	Purl.
Greer.	Wessels.
Lamb.	

Absent—Excused.

Bobbitt.	Houston.
Brady.	Johnson.
Cowen.	LeStourgeon.
Crawford.	Lewis.
DeBerry.	Lusk.
Dielmann.	McBride.
Dodd.	Merriman.
Dunlap.	Miller.
Durham.	Rowland.
Frnka.	Russell of Trinity.
Harrington.	Strickland.
Henderson	Thompson.
of Marion.	Wilmons.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

#### LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Brady, for today, on motion of Mr. Shearer.

Mr. DeBerry, for today, on motion of Mr. Fields.

Mr. LeStourgeon, for today, on motion of Mr. Simpson.

Mr. Dunlap, for today, on motion of Mr. Sparkman.

Mr. Bobbitt and Mr. Houston, for today, on motion of Mr. Arnold.

Mr. Lewis, for today, on motion of Mr. Culp.

Mr. Dielmann, for today, on motion of Mr. Young.

Mrs. Wilmons, for last Saturday and today, on motion of Mr. Carpenter of Dallas.

Mr. Durham, for today, on motion of Mr. Hardin of Kaufman.

Mr. Dodd, for today, on motion of Mr. Robinson.

Mr. Miller, for today, on motion of Mr. Maxwell.

Mr. Henderson of Marion, for today, on motion of Mr. Wallace.

Mr. Harrington, for today, on motion of Mr. Coffee.

Mr. Cowen, for today, on motion of Mr. Turner.

The following members were granted leaves of absence on account of sickness:

Mr. McBride, for today, on motion of Mr. Shearer.

Mr. Merriman, for today and remainder of session, on motion of Mr. Quinn.

Mr. Frnka, for today and remainder of session, on motion of Mr. Stewart of Reeves.

Mr. Thompson, for today, on motion of Mr. LeMaster.

#### ASKING FOR RETURN OF HOUSE CONCURRENT RESOLUTION NO. 25.

Mr. Baldwin offered the following resolution:

H. C. R. No. 33, Requesting return of House concurrent resolution No. 25.

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the Secretary of State be, and he is hereby requested to return to the House of Representatives House Concurrent Resolution No. 25, relating to sine die adjournment.

The resolution was read second time.

Mr. Satterwhite raised a point of order on consideration of the resolution on the ground that the House has no jurisdiction over the matter.

The Speaker overruled the point of order.

Question recurring on the resolution, it was lost.

#### SENATE BILL NO. 357 ON FINAL PASSAGE.

Mr. Abney moved to reconsider the vote by which Senate bill No. 357 was passed.

The motion to reconsider prevailed.

Senate bill No. 357 was then finally passed by the following vote:

Yeas—100.

Mr. Speaker.	Bell.
Abney.	Bird.
Amsler.	Blount.
Avis.	Bonham.
Baker of Milam.	Burmeister.
Baker of Orange.	Cable.
Baldwin.	Carpenter
Barrett.	of Dallas.
Beasley.	

Carpenter	Melson.
of Matagorda.	Merritt.
Carson.	Montgomery.
Chitwood.	Moore.
Coffee.	Morgan
Collins.	of Liberty.
Covey.	Pate.
Davis.	Patterson.
Dinkle.	Perdue.
Downs.	Pinkston.
Driggers.	Pool.
Duffey.	Pope.
Dunn.	Potter.
Edwards.	Price.
Faubion.	Quaid.
Fields.	Rice.
Finlay.	Robinson.
Fugler.	Rogers.
Gipson.	Rountree.
Hardin of Erath.	Russell
Hardin	of Callahan.
of Kaufman.	Sackett.
Harris.	Satterwhite.
Henderson	Shearer.
of McLennan.	Shires.
Hendricks.	Simpson.
Hughes.	Smith.
Irwin.	Sparkman.
Jacks.	Stell.
Jennings.	Stevens.
Jones.	Stewart of Jasper.
Kemble.	Stewart of Reeves.
Lackey.	Stiernberg.
Laird.	Storey.
Lane.	Stroder.
LeMaster.	Sweet.
Looney.	Teer.
McDaniel.	Thrasher.
McDonald.	Turner.
McFarlane.	Vaughan.
McKean.	Wallace.
McNatt.	Westbrook.
Martin.	Williamson.
Mathes.	Wilson.
Maxwell.	Winfree.

Nays—6.

Barker.	Howeth.
Bryant.	Sanford.
Carter of Coke.	Young.

Present—Not Voting.

Carter of Hays.

Absent.

Arnold.	Morgan
Atkinson.	of Robertson.
Culp.	Patman.
Davenport.	Purl.
Green.	Quinn.
Greer.	Stewart
Hull.	of Edwards.
Lamb.	Wells.
Loftin.	Wessels.

## Absent—Excused.

Bobbitt.	Houston.
Brady.	Johnson.
Cowen.	LeSturgeon.
Crawford.	Lewis.
DeBerry.	Lusk.
Dielmann.	McBride.
Dodd.	Merriman.
Dunlap.	Miller.
Durham.	Rowland.
Frnka.	Russell of Trinity.
Harrington.	Strickland.
Henderson	Thompson.
of Marion.	Wilmans.

SENATE BILL NO. 370 ON PASSAGE  
TO THIRD READING.

The Speaker laid before the House, as unfinished business, on its passage to third reading,

S. B. No. 370, A bill to be entitled "An Act amending Section 1 of Chapter 110 of the General Laws of the Regular Session of the Thirty-seventh Legislature, so as to permit steam and electric railroads, transportation companies or sleeping car companies, to furnish transportation to veterans of the Civil War at a rate of one cent per mile, and declaring an emergency."

The bill having been read second time on yesterday, with amendment by Mr. Purl pending.

Mr. Carter of Coke, by unanimous consent, withdrew the pending amendment.

Senate bill No. 370 was then passed to third reading.

SENATE JOINT RESOLUTION NO. 10  
ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. J. R. No. 10, Proposing an amendment to Section 51 of Article 3 of the Constitution of the State of Texas to provide that the Legislature may grant pensions to Confederate soldiers, sailors and their widows who have been citizens of Texas since prior to January 1, 1910; providing that all soldiers, sailors and their widows eligible under the provisions hereof shall be entitled to be placed upon the rolls and to participate in the pension fund created hereunder; levying a tax of seven (\$.07) cents on the \$100 valuation of property in this State for the payment of said pension; providing that the Legislature may reduce the rate of pension for such purposes; fixing a time for the election to be held on such amendment, and making an appropriation to pay the expenses thereof.

The resolution was read second time and was passed to third reading.

SENATE JOINT RESOLUTION NO. 20  
ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. J. R. No. 20, Providing for revenue for the support of the public schools; providing for the levying and collecting, in addition to the above, ad valorem State tax not to exceed thirty-five cents on the one hundred (\$100) dollars valuation; providing for the State Board of Education to set aside a sufficient amount out of said tax to provide free text books; providing for an additional appropriation by the Legislature if the limit of taxation be insufficient; providing for the formation of school districts by the commissioners courts of the several counties; and providing that school districts may embrace parts of two or more counties; providing further that the Legislature be authorized to pass laws for the assessment and collection of taxes in said districts; conferring the management and control of the public schools of such districts upon the commissioners courts; providing for the Legislature to authorize an additional ad valorem tax within school districts for the maintenance of public schools, and the erection and equipment of school buildings therein; providing that a majority of the qualified property tax paying voters of the district shall vote such tax not to exceed in one year one dollar on the one hundred dollars valuation on property subject to taxation, but this limitation shall not apply to incorporated cities or towns constituting separate and independent school districts.

The resolution was read second time and was passed to third reading.

SENATE BILL NO. 175 ON SECOND  
READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 175, A bill to be entitled "An Act repealing that part of Section 2 of the act contained in Chapter 99 of the legally published General Laws of the State of Texas, passed at the Regular Session of the Thirty-seventh Legislature, relating to exceptions to and exemptions from the Anti-pass Law, which is in the language, 'provided, that if any such railroad or transportation

company shall grant to any sheriff a free pass over its line of railroads, then it shall issue like free transportation to each and every sheriff in this State who may make to it written application therefor, and declaring an emergency."

The bill was read second time and was passed to third reading.

#### SENATE BILL NO. 176 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 176, A bill to be entitled "An Act changing the name of the State normal colleges of this State, and declaring an emergency."

The bill was read second time and was passed to third reading.

#### SENATE BILL NO. 179 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 179, A bill to be entitled "An Act to amend Article 2771, Revised Statutes, 1911, as amended by the Thirty-fifth Legislature, Chapter 160, reducing the amount of bond required of depositories of independent districts."

The bill was read second time and was passed to third reading.

#### SENATE BILL NO. 180 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 180, A bill to be entitled "An Act to amend Article 2895, Revised Statutes, 1911, fixing the time and limiting the term of employment of superintendent, principal and teachers in independent school districts, and creating an emergency."

The bill was read second time and was passed to third reading.

#### SENATE BILL NO. 193 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 193, A bill to be entitled "An Act accepting certain lands or bancos along the Rio Grande adjacent to the State of Texas, which territory has been acquired by the United States

of America by virtue of a treaty with the United States of Mexico, dated March 20, 1905, and ceded by the United States of America to the State of Texas by an act of Congress approved January 27, 1922, and declaring an emergency."

The bill was read second time and was passed to third reading.

#### SENATE BILL NO. 207 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 207, A bill to be entitled "An Act to regulate the taking of fish from that part of fresh water streams situated within the limits of any incorporated city, town or village in this State; prescribing a penalty for the violation of this act, and declaring an emergency."

The bill was read second time and was passed to third reading.

#### SENATE BILL NO. 219 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 219, A bill to be entitled "An Act amending Article 695a of the Penal Code of the State of Texas."

The bill was read second time.

Mr. Shearer offered the following amendment to the bill:

Amend Senate bill No. 219 by striking out all of lines 57 and 58, except the word "premises" in Section 1, page 1458, of the Journal and add the word "of."

The amendment was adopted.

Senate bill No. 219 was then passed to third reading.

#### SENATE BILL NO. 220 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 220, A bill to be entitled "An Act authorizing the Galveston & Western Railway Company to abandon a portion of its track and line of railroad in the city of Galveston, Galveston county, Texas, and to relinquish its rails, track and material to the city of Galveston."

The bill was read second time and was passed to third reading.

## SENATE BILL NO. 239 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 239, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office of the State of Texas to issue an oil and gas lease to Mrs. Virgie D. Hardee for a term of five years and subject to renewal for ten years if oil or gas should be found in paying quantities upon the 76½ acres in San Jacinto bay, Harris county, that was heretofore included in oil and gas permit No. 2168, issued by the Commissioner of the General Land Office to the said Mrs. Hardee on August 2, 1917, and to H. M. Holden, his heirs or assigns, for a like term of five years upon the 703.86 acres in Nueces bay, Nueces county, that was heretofore included in oil and gas permit No. 5242, issued by the Commissioner of the General Land Office to the said Holden on October 17, 1919, and to R. L. Garrett, his heirs or assigns, for a like term of five years upon the 991.48 acres in Nueces bay, Nueces county, Texas, that was heretofore included in oil and gas permit No. 5246, issued by the Commissioner of the General Land Office to the said Garrett on October 17, 1919, conditioned that the respective owners of said lease shall pay to the General Land Office, in advance of each of the five years, for the benefit of the available school fund, a sum of money equal to twenty-five cents per acre for the first year; fifty cents per acre for the second year; seventy-five cents per acre for the third year, and one dollar per acre for the fourth and fifth years; provided, no further sum per acre shall be paid after oil and gas shall have been developed in paying quantities and a royalty begins to be paid and continues to be paid monthly, equal to one-eighth of the value of the gross production of oil and gas, providing for forfeiture and reinstatement, and declaring an emergency."

The bill was read second time and was passed to third reading.

## SENATE BILL NO. 246 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 246, A bill to be entitled "An Act to amend Chapter 26, Section

1, Acts of the Thirty-sixth Legislature, providing for emergency transfer of school children, and declaring an emergency."

The bill was read second time and was passed to third reading.

## SENATE BILL NO. 252 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 252, A bill to be entitled "An Act to amend Article 1064 of the Revised Civil Statutes of the State of Texas of 1911, so as to provide means for settlement of debts of municipal corporations where abolished or where de facto municipal corporations are now or hereafter declared void by court of competent jurisdiction; and by adding after said article a new article to be known as Article 1064a, so as to provide that holders of indebtedness of such municipal corporations may maintain proper suit in court and have service on named officials and judgment as if such corporation had not been dissolved."

The bill was read second time and was passed to third reading.

## SENATE BILL NO. 271 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 271, A bill to be entitled "An Act to repeal an act approved May 27, 1915, and an act amendatory thereof approved April 2, 1918, being respectively Chapter 5 of the General Laws of Texas passed at the First Called Session of the Thirty-fourth Legislature, and Chapter 45 of the General Laws of the Thirty-fifth Legislature, relative to the business of co-operative savings and contract loan companies."

The bill was read second time and was passed to third reading.

## SENATE BILL NO. 273 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 273, A bill to be entitled "An Act to amend Articles 3635, 3636, 3637 and 3639, Chapter 32, Title 52, of the Revised Statutes of Texas, in reference to appeals from county courts to district courts in estate matters."

The bill was read second time and was passed to third reading.

## SENATE BILL NO. 297 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 297, A bill to be entitled "An Act appropriating to the permanent public school fund whatsoever land that may be recovered to the State annually in the case of the State of Texas against George Findlay and others in the Capitol Syndicate Land Suit, and providing for the survey and sale of same, with a reservation of minerals, and making an appropriation for a survey of the land, and declaring an emergency."

The bill was read second time and was passed to third reading.

## SENATE BILL NO. 300 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 300, A bill to be entitled "An Act providing the manner in which notice may be given by a party to a proceeding before any commission, board or other administrative or quasi-judicial agency in this State that he will not abide by, or that he appeals or intends to appeal from, the final order, ruling or decision of such commission, board or other agency; providing that this act shall be cumulative of other laws specifying the manner in which any such notice may be given; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to third reading.

## SENATE BILL NO. 321 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 321, A bill to be entitled "An Act providing for the committing of feeble-minded persons to the State Colony for the Feeble-minded; giving to the county and district courts jurisdiction to hear and determine the status of feeble-minded persons, and commit them to such colony, to be known as 'Court for the Feeble-minded,' when so sitting; providing the procedure in such cases; defining the powers and duties of the county attorney and other officers; defining the powers and duties of such colony and its management and superin-

tendent in relation to the custody and the preservation and regaining thereof of such persons committed or admitted thereto; prescribing the duties of peace officers in regard thereto; making such persons wards of the State; making it a felony to entice, remove, abduct or kidnap a patient from such colony, or to assist such to escape, or to conceal a patient who has escaped, or been enticed, removed, abducted or kidnaped therefrom, and prescribing a penalty therefor, and declaring an emergency."

The bill was read second time.

Mr. Beasley offered the following (committee) amendments to the bill:

Amend Senate bill No. 321 by adding a section which shall be known as Section 5a as follows:

Section 5a. The superintendent of the State Colony for Feeble-minded shall exercise the power herein conferred only upon approval and consent of the State Board of Control, and in the event any of the inmates are paroled for more than thirty days proper notice of such parole must be made on the date of the parole to the committing court. In the event any inmate of such institution should escape from the custody of such institution the committing court must be immediately notified of such escape.

Amend Senate bill No. 321 by adding after the word "superintendent," on page 5, line 2, of Section 6, "and Board of Control."

The amendments were severally adopted.

Senate bill No. 321 was then passed to third reading.

## SENATE BILL NO. 322 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 322, A bill to be entitled "An Act providing that it shall be unlawful for the owner, keeper or person in control of any dog accustomed to run, worry or kill goats or sheep, knowing such dog to be so accustomed to run, worry or kill goats or sheep, to permit such dog to run at large; providing penalties, and declaring an emergency."

The bill was read second time.

Mr. Sparkman offered the following amendment to the bill:

Amend Senate bill No. 322 by striking out wherever it may appear the word "and" before the word "poultry" and insert a comma therein, and by striking out word "poultry" and insert therein

the following words, "horses, cattle, turkeys, chickens, geese, ducks, and all other domestic animals or fowls."

The amendment was adopted.

Senate bill No. 322 was then passed to third reading.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House amendments to Senate bill No. 213.

The Senate has reconsidered and passed

S. B. No. 197, A bill to be entitled "An Act to amend Section 1 of an act passed by the Thirty-fourth Legislature of Texas and approved March 22, 1915, creating the Tenth Supreme Judicial District of Texas, the same being Chapter 70 of the Acts of the Regular Session of the Thirty-fourth Legislature, and to create the Tenth Supreme Judicial District of Texas and to provide for the organization of a Court of Civil Appeals within said Tenth Supreme Judicial District, and to repeal all laws in conflict herewith, and declaring an emergency," notwithstanding the Governor's objections, by the following vote: 19 yeas, 6 nays and 3 present and not voting, and herewith return same to the House with the objections of the Governor.

Respectfully,

RICHARD BLALOCK,  
Assistant Secretary of the Senate.

#### SENATE BILL NO. 324 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 324, A bill to be entitled "An Act amending Article 993, Penal Code, so as to make it unlawful for any person, corporation or company engaged in the manufacture or sale of electricity, water or gas, or officer or employe thereof, to knowingly permit or cause any light, water or gas meter to register greater than the true amount of light, electricity, water or gas sold or furnished any customer, and declaring an emergency."

The bill was read second time and was passed to third reading.

#### SENATE BILL NO. 344 ON SECOND READING.

The Speaker laid before the House,

on its second reading and passage to third reading,

S. B. No. 344, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office to lease a group of three islands situated in Bahia Grande (Big Bay) in Cameron county, for a term not to exceed fifty years to the National Association of Audubon Societies for and in consideration of said association undertaking to propagate, protect and conserve birds and bird life thereon; providing punishment by fine and imprisonment for violation of this act, and declaring an emergency."

The bill was read second time and was passed to third reading.

#### SENATE BILL NO. 353 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 353, A bill to be entitled "An Act to amend Article 4364, Revised Civil Statutes of 1911, providing for the bond of the State Treasurer so as to provide for the making of such bond with a surety company and the payment of the expense incident thereto by the State; and to amend Article 4373, Revised Civil Statutes of 1911, providing for the appointment of a chief clerk and the giving of bond by him, and also providing for the appointment of other employes so as to provide for the appointment of the chief clerk and the giving of a bond by him with a good and solvent surety company and further to provide for the appointment of other employes and the giving of bonds by each of them, and to require the State to pay the necessary expenses incident to the execution of said bond or bonds, and declaring an emergency."

The bill was read second time and was passed to third reading.

#### SENATE BILL NO. 379 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 379, A bill to be entitled "An Act to prohibit the trapping or taking of wild game birds and wild game fowls and wild animals from an airplane, a powerboat, a sailboat, any boat under sail, or any floating device towed by powerboat or sailboat; prescribing penalties for the violation of its provisions; providing for the Game, Fish



and Oyster Commissioner and his deputies to have jurisdiction in the enforcement of same, and declaring an emergency."

The bill was read second time and was passed to third reading.

#### SENATE BILL NO. 396 ON SECOND READING.

The Speaker laid before the House on its second reading and passage to third reading,

S. B. No. 396, A bill to be entitled "An Act to validate all sales of public school land sold to the highest bidder on January 20, 1908, and now situated in Kleberg, Kenedy and Brooks counties which are in good standing as to interest payments on the records of the General Land Office; authorizing patents to be issued when finally paid for, and declaring an emergency."

The bill was read second time and was passed to third reading.

#### SENATE BILL NO. 369 ON SECOND READING.

The Speaker laid before the House on its second reading and passage to third reading,

S. B. No. 369, A bill to be entitled "An Act to provide that county judges may authorize the payment of premiums on bonds of guardians, administrators or executors where such bonds are made by approved surety companies out of the estate being administered by such guardians, administrators or executors."

The bill was read second time and was passed to third reading.

#### SENATE BILL NO. 132 ON PASSAGE TO THIRD READING.

Mr. Teer moved to take up, for consideration at this time,

S. B. No. 132, A bill to be entitled "An Act to amend Article 1460, Chapter 2, Title 29 of the Revised Civil Statutes of 1911, as amended by Chapter 131, General Laws, passed at the Regular Session of the Thirty-fourth Legislature, and as further amended by Chapter 134, General Laws, passed at the Regular Session of the Thirty-fifth Legislature, relating to the appointment and compensation of county auditors in counties containing a population of forty thousand or over, or having a taxable valuation of fifteen million dollars or over, and declaring an emergency."

The bill having heretofore been read

second time and laid on the table subject to call.

The motion prevailed.

Mr. Teer offered the following amendment to the bill:

Amend Senate bill No. 132 by striking out the words and figures "one hundred and fifty dollars, \$150" wherever they appear in the bill and insert in lieu therefor the words and figures "one hundred and twenty-five dollars."

The amendment was adopted.

Mr. Teer offered the following amendment to the bill:

Amend Senate bill No. 132 by adding after the word "office" in last line of said bill: "provided this act shall not apply to county auditors in counties having a city of more than 150,000 population according to the last United States census, and provided that this act shall not apply to counties in which there is a city having a population of not less than 10,500 and not more than 10,600 population according to the last Federal census."

The amendment was adopted.

Senate bill No. 132 was then passed to third reading.

#### SENATE BILL NO. 21 ON PASSAGE TO THIRD READING.

Mr. Irwin moved to take up, for consideration at this time,

S. B. No. 21, A bill to be entitled "An Act to permit defendants in cases in which requisitions have been issued for them by the Governor and where they appeal their cases to the Court of Criminal Appeals to give bond the same as defendants in other felony cases, and declaring an emergency."

The bill having heretofore been read second time and laid on the table subject to call.

The motion prevailed.

Senate bill No. 21 was then passed to third reading.

#### BILLS AND RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolution:

S. B. No. 191, "An Act authorizing the incorporation of mutual hail insurance companies; regulating the business of such companies; providing for the investment of the reserve funds of such companies; requiring annual reports;

fixing the fees to be paid by such companies, and declaring an emergency."

S. B. No. 249, "An Act to provide for the issuance of serial coupon bonds for the purpose of constructing teachers' homes and purchasing land in connection therewith, and declaring an emergency."

H. C. R. No. 21, Relating to making a survey of prison system.

# SENATE BILL NO. 268 ON SECOND READING.

On motion of Mr. Hardin of Kaufman, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 268, A bill to be entitled "An Act to amend Articles 6901a and 6901d of Chapter 1, Title 119 of the Revised Civil Statutes of Texas of 1911, as enacted by Chapter 29 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, and as amended by Chapter 98, General Laws, Regular Session, Thirty-sixth Legislature, and to amend Articles 6901b, 6901c and 6901e of said chapter and title of the Revised Civil Statutes as enacted by Chapter 29 of the General Laws of the Fourth Called Session, Thirty-fifth Legislature, and adding thereto Articles 6901cc, 6901dd and 6901ff, all of which articles of the statutes relate to the compensation of county commissioners; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Sackett offered the following amendment to the bill:

Amend Senate bill No. 268 at the end of Article 6901e, after the word "Texas" by adding the following words: "for the year 1922."

The amendment was adopted.

Mr. Blount offered the following amendment to the bill:

Amend Article 6901a by striking out the words "an assessed valuation of all taxable properties of \$100,000,000" in lines 27, 28 and 29, page 1, and substituting in lieu thereof "150,000 inhabitants," and striking out the words "an assessed valuation of all taxable property of less than \$10,000,000," in lines 4 and 5, page 2, and substituting therefor the following: "a population of less than 20,000."

Amend Article 6901dd by striking out the words "an assessed valuation of all

taxable properties of \$10,000,000 and less than \$16,000,000 valuation," in lines 15, 16 and 17, page 3, and substituting therefor the words "a population of 20,000 and less than 35,000."

Amend Article 6901cc by striking out the words "an assessed valuation of all taxable properties of \$16,000,000 and less than \$30,000,000 valuation," in lines 8, 9, 10 and 11, page 3, and substituting therefor the words "a population of 35,000 and less than 50,000."

Amend Senate bill No. 268 by striking out Article 6901c.

Amend Article 6901d by striking out the words "an assessed valuation of all taxable properties of \$30,000,000 and less than \$35,000,000," in lines 20, 21, 22 and 23, page 2, and substituting therefor the words "a population of 50,000 and less than 100,000," and by changing the words "two thousand" to "twenty-four hundred," and the figures "\$2000" to "\$2400."

Amend Article 6901b by striking out "an assessed valuation of all taxable properties of \$75,000,000 and less than \$100,000,000 valuation," in lines 13, 14, 15 and 16, page 2, and substituting therefor the following: "a population of 100,000 and less than 150,000."

Amend Article 6901e by striking out the words "assessed valuation of all taxable properties is meant the total assessed valuation of all properties as shown by the tax rolls, certified by the county tax assessor, approved by the commissioners court of the county and approved by the Comptroller of Public Accounts of the State of Texas," on lines 27, 28, 29, 30 and 31, page 3, and substituting therefor the words "population is meant the number of inhabitants residing in each county as shown by the last United States census."

Mr. Burmeister moved to table the amendment.

Yeas and nays were demanded and the motion to table was lost by the following vote:

Yeas—42.

Abney.	Chitwood.
Arnold.	Collins.
Baker of Milam.	Culp.
Baker of Orange.	Fugler.
Baldwin.	Hardin
Bird.	of Kaufman.
Burmeister.	Hull.
Carpenter	Irwin.
of Dallas.	Jacks.
Carpenter	Jones.
of Matagorda.	Kemble.
Carter of Hays.	Loftin.

McDaniel.	Shires.
McNatt.	Simpson.
Montgomery.	Smith.
Morgan	Stewart of Reeves.
of Liberty.	Storey.
Potter.	Sweet.
Purl.	Teer.
Rice.	Wells.
Rogers.	Williamson.
Sackett.	Winfree.
Shearer.	Young.

Nays—62.

Amsler.	Looney.
Avis.	McDonald.
Barker.	McFarlane.
Barrett.	McKean.
Beasley.	Martin.
Bell.	Mathes.
Blount.	Melson.
Bryant.	Merritt.
Cable.	Moore.
Carson.	Morgan
Carter of Coke.	of Robertson.
Coffee.	Pate.
Covey.	Patman.
Davis.	Perdue.
Dinkle.	Pinkston.
Downs.	Pope.
Driggers.	Price.
Duffey.	Quinn.
Dunn.	Robinson.
Edwards.	Rountree.
Fields.	Russell
Finlay.	of Callahan.
Gipson.	Sanford.
Hardin of Erath.	Satterwhite.
Harris.	Sparkman.
Henderson	Stell.
of McLennan.	Stevens.
Hendricks.	Stewart of Jasper.
Howeth.	Stiernberg.
Jennings.	Stroder.
Lackey.	Turner.
Laird.	Vaughan.
Lane.	Westbrook.
LeMaster.	Wilson.

Present—Not Voting.

Quaid.

Absent.

Atkinson.	Lamb.
Bonham.	Maxwell.
Davenport.	Patterson.
Faubion.	Pool.
Green.	Stewart
Greer.	of Edwards.
Henderson	Thrasher.
of Marion.	Wallace.
Hughes.	Wessels.

Absent—Excused.

Bobbitt.	Crawford.
Brady.	DeBerry.
Cowen.	Dielmann.

Dodd.	Lusk.
Dunlap.	McBride.
Durham.	Merriman.
Frnka.	Miller.
Harrington.	Rowland.
Houston.	Russell of Trinity.
Johnson.	Strickland.
LeSturgeon.	Thompson.
Lewis.	Wilmans.

Mr. Lackey offered the following amendment to the bill:

Amend Senate bill No. 268 by striking out all the enacting clause.

On motion of Mr. Hardin of Kaufman, the amendment was tabled.

Mr. Sackett offered the following amendment to the amendment:

Amend the amendment by striking out the figures "35,000," wherever they appear, and insert in lieu thereof the figures "34,000."

The amendment was adopted.

Mr. Simpson moved the previous question on the pending amendment, and the main question was ordered.

Question recurring on the amendment by Mr. Blount, as amended, it was adopted.

Mr. Jacks moved the previous question on the bill, and the main question was ordered.

Question then recurring on the passage of the bill to third reading, yeas and nays were demanded.

Senate bill No. 268 was then passed to third reading by the following vote:

Yeas—63.

Mr. Speaker.	Henderson
Arnold.	of McLennan.
Baker of Milam.	Hendricks.
Baldwin.	Hughes.
Bell.	Hull.
Blount.	Irwin.
Burmeister.	Jacks.
Carpenter	Jennings.
of Dallas.	Kemble.
Carson.	Laird.
Carter of Hays.	Lane.
Chitwood.	LeMaster.
Coffee.	McDaniel.
Collins.	McNatt.
Covey.	Melson.
Culp.	Montgomery.
Downs.	Morgan
Dunn.	of Liberty.
Edwards.	Perdue.
Faubion.	Potter.
Fields.	Purl.
Finlay.	Quinn.
Hardin of Erath.	Rogers.
Hardin	Russell
of Kaufman.	of Callahan.
Harris.	Sanford.

Satterwhite.	Sweet.
Shearer.	Teer.
Shires.	Turner.
Smith.	Vaughan.
Sparkman.	Wells.
Stevens.	Westbrook.
Stewart	Williamson.
of Edwards.	Wilson.
Stewart of Jasper.	Young.

## Nays—38.

Abney.	Martin.
Amsler.	Maxwell.
Baker of Orange.	Merritt.
Barker.	Morgan
Barrett.	of Robertson.
Beasley.	Pate.
Bryant.	Patman.
Cable.	Pinkston.
Carpenter	Pope.
of Matagorda.	Price.
Carter of Coke.	Rice.
Davis.	Robinson.
Driggers.	Sackett.
Duffey.	Simpson.
Fugler.	Stell.
Gipson.	Stiernberg.
Jones.	Storey.
Lackey.	Stroder.
Looney.	Thrasher.
McFarlane.	Wallace.
McKean.	

## Absent.

Atkinson.	Merriman.
Avis.	Miller.
Bird.	Moore.
Bonham.	Patterson.
Davenport.	Pool.
Dinkle.	Quaid.
Green.	Rountree.
Greer.	Rowland.
Harrington.	Russell of Trinity.
Howeth.	Stewart of Reeves.
Lamb.	Strickland.
Loftin.	Thompson.
Lusk.	Wessels.
McBride.	Wilmans.
McDonald.	Winfree.
Mathes.	

## Absent—Excused.

Bobbitt.	Durham.
Brady.	Frnka.
Cowen.	Henderson
Crawford.	of Marion.
DeBerry.	Houston.
Dielmann.	Johnson.
Dodd.	LeSturgeon.
Dunlap.	Lewis.

Mr. Jacks moved to reconsider the vote by which the bill was passed to third reading, and to table the motion to reconsider.

The motion to table prevailed.

## LEAVE OF ABSENCE GRANTED.

On motion of Mr. Edwards, Mr. Avis was granted leave of absence for the remainder of the session.

## SENATE BILL NO. 341 ON SECOND READING.

On motion of Mr. Sweet, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 341, A bill to be entitled "An Act to provide a complete educational system commonly known as the county unit system, to be adopted by the respective counties of this State; providing for a special election to be called for the adoption of the system herein provided for; setting forth the general administration of the schools of such counties under a county board of education; providing for the election of county board of education; defining their respective powers and duties and stating their qualifications, number to be elected, time and place of meeting of such board; providing for holding of elections in counties adopting the provisions of this act; authorizing the county boards herein provided for to make a levy for school taxes in any rate to exceed one (\$1) dollar on the one hundred (\$100) dollar valuation of taxable property in the county as assessed for other county and State taxes; providing for a treasurer for the county school funds, fixing his bond and prescribing his duties; providing for the appointment of a county superintendent of education, fixing his qualifications and duties; prescribing that a general system of classifying and grading all schools in such county shall be adopted; providing for the regulation of the schools as to sanitation and equipment; providing for the creation of districts for the enforcement of the State compulsory attendance law; providing for a system of reports to be required by the county board of education and the State superintendent, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Potter offered the following amendment to the bill:

Amend Senate bill No. 341, Section 19, by adding to said section the following: "Provided that this section shall not be construed as in any wise reducing the scholastic age relative to State apportionment."

The amendment was adopted.

Mr. Stewart of Edwards offered the following amendment to the bill:

Amend Senate bill No. 341 so as to make Section 66 hereafter read as follows:

"Sec. 66. Provided that this act shall apply only to the following counties: Bexar, Dallas, El Paso, Harris, Tarrant, Edwards, Mason, Menard, Kimble, Crockett, Sutton, Schleicher, Kerr, Bandera, Lubbock, Hockley, Cochran, Lynn, Terry, Gaines, Yoakum, Dawson, Garza, Crosby, Borden, Brazos, Real, Young, McCulloch, Baylor, Haskell and Throckmorton.

Signed—Stewart of Edwards, Baldwin.

On motion of Mr. Jones, the amendment was tabled.

Senate bill No. 341 was then passed to third reading.

#### COMMITTEE TO INVESTIGATE ILLEGAL VOTING ON MACHINE.

The Speaker announced the appointment of the following committee to investigate the voting of Mr. Greer's voting machine in his absence:

Messrs. Jones, chairman; Lackey, Pope, Burmeister, Bell.

#### RELATING TO CONSIDERATION OF SENATE BILLS ON SECOND READING.

On motion of Mr. Quaid, the House rule relating to the consideration of Senate bills on second reading was suspended so as to permit consideration of such bills to 1 o'clock p. m. today.

#### BILL ORDERED NOT PRINTED.

On motion of Mr. Moore, Senate bill No. 317 was ordered not printed.

#### SENATE BILL NO. 317 ON SECOND READING.

On motion of Mr. Moore, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading,

S. B. No. 317, A bill to be entitled "An Act amending Article 1017, Chapter 11, Title 22, of the Revised Civil Statutes of 1911, so as to provide that the provisions of the chapter to be cumulative, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time and was passed to third reading.

#### MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, March 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has reconsidered and passed

H. B. No. 565, A bill to be entitled "An Act to reorganize the Thirtieth and Sixteenth Judicial Districts and to create the Ninety-sixth Judicial District of the State of Texas, and for the appointment of the district judge for said Ninety-second Judicial District; providing for holding the district courts and terms in said Thirtieth, Sixteenth and Ninety-sixth Judicial Districts, respectively; providing that all process and writs heretofore issued, and that all recognizances and bonds heretofore made and executed and returnable to existing terms of district courts in said counties composing said districts, together with jurors heretofore selected are valid and returnable to the first term of such court after this act takes effect; providing that the county attorneys of the respective counties within said Ninety-sixth Judicial District shall perform the duties of district attorneys in their counties as well as the duties now performed by them, and providing fees of office for such county attorneys; providing for the transfer of cases from the Thirtieth Judicial District to the Ninety-sixth Judicial District, and from the Seventy-sixth Judicial District to the Ninety-sixth Judicial District; providing for the jurisdiction of said district courts, and providing for the continuation of the existing district courts in said counties in session when this act takes effect to the end of their terms; repealing all existing laws, and declaring an emergency," notwithstanding the objections of the Governor, by the following vote: 18 yeas, 6 nays, and one present and not voting.

The Senate has adopted the free conference committee report on House bill No. 622.

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

Mr. Burmeister moved a call of the House for the purpose of maintaining a quorum until 1 o'clock p. m. today, and the call was duly seconded and ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the

Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

The roll was called and the Speaker announced that there was not a quorum present.

On motion of Mr. Burmeister, the Sergeant-at-Arms was instructed to bring in all absentees within the city.

The roll was again called and a quorum was announced present.

# SENATE JOINT RESOLUTION NO. 13 ON SECOND READING.

On motion of Mr. Patman, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading,

S. J. R. No. 13, Joint resolution amending Section 9 of Article 8 of the Constitution of the State of Texas, providing that the Legislature may authorize an annual ad valorem tax to be levied and collected for the further maintenance of the public roads; provided that a majority of the qualified taxpaying voters of the county voting at an election to be held for that purpose shall vote such tax not to exceed one dollar on the one hundred dollars valuation of the property subject to taxation in such county.

The Speaker laid the resolution before the House and it was read second time and was passed to third reading by the following vote:

Yeas—79.

Mr. Speaker.	Dinkle.
Amsler.	Driggers.
Arnold.	Duffey.
Atkinson.	Dunn.
Avis.	Edwards.
Baker of Milam.	Faubion.
Baker of Orange.	Fields.
Barker.	Finlay.
Barrett.	Fugler.
Beasley.	Green.
Bell.	Hardin of Erath.
Bonham.	Hendricks.
Bryant.	Howeth.
Burmeister.	Hughes.
Cable.	Jacks.
Carpenter	Lackey.
of Dallas.	Laird.
Carson.	Lane.
Carter of Hays.	LeMaster.
Chitwood.	Loftin.
Coffee.	McDaniel.
Davis.	McFarlane.

McKean.	Sackett.
Martin.	Sanford.
Mathes.	Satterwhite.
Maxwell.	Shearer.
Melson.	Shires.
Montgomery.	Simpson.
Moore.	Sparkman.
Morgan	Stewart
of Liberty.	of Edwards.
Patman.	Stewart of Jasper.
Perdue.	Sweet.
Pool.	Thrasher.
Pope.	Turner.
Price.	Vaughan.
Purl.	Wallace.
Quinn.	Wells.
Rice.	Westbrook.
Rogers.	Wilson.
Russell	Young.
of Callahan.	

Nays—29.

Abney.	Kemble.
Bird.	Looney.
Carter of Coke.	McNatt.
Collins.	Merritt.
Covey.	Patterson.
Culp.	Pinkston.
Downs.	Potter.
Gipson.	Quaid.
Hardin	Rountree.
of Kaufman.	Smith.
Hull.	Stell.
Henderson	Stevens.
of McLennan.	Stewart of Reeves.
Irwin.	Storey.
Jennings.	Williamson.
Jones.	

Present—Not Voting.

Stiernberg.

Absent.

Baldwin.	Morgan
Blount.	of Robertson.
Carpenter	Pate.
of Matagorda.	Robinson.
Davenport.	Stroder.
Greer.	Teer.
Harris.	Wessels.
Lamb.	Winfree.
McDonald.	

Absent—Excused.

Bobbitt.	Houston.
Brady.	Johnson.
Cowen.	LeStourgeon.
Crawford.	Lewis.
DeBerry.	Lusk.
Dielmann.	McBride.
Dodd.	Merriman.
Dunlap.	Miller.
Durham.	Rowland.
Frnka.	Russell of Trinity.
Harrington.	Strickland.
Henderson	Thompson.
of Marion.	Wilmons.

## SENATE BILL NO. 48 ON SECOND READING.

On motion of Mr. Trasher, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading.

S. B. No. 418, A bill to be entitled "An Act granting and dedicating to the city of Austin, Texas, for exclusively municipal park and other recreational purposes 6.41 acres of land, more or less, situated in or near the city of Austin, with reservation, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time and was passed to third reading.

## SENATE BILL NO. 275 ON SECOND READING.

On motion of Mr. Dunn, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading.

S. B. No. 275, A bill to be entitled "An Act to permit boards of trustees of religious, charitable, educational or eleemosynary institutions to be affiliated with, elected and controlled by a convention, conference or association, incorporated or unincorporated, organized under the laws of this or another State, whose membership is composed of representatives, delegates or messengers from any church or other religious association; also to permit such institutions to acquire, own, hold, mortgage and dispose of property, real and personal, within this State, in furtherance of the purposes of the organization."

The Speaker laid the bill before the House and it was read second time and was passed to third reading.

## MOTION TO TAKE UP SENATE BILL NO. 247.

Mr. Cable moved that the regular order of business be suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 247, A bill to be entitled "An Act to amend Article 2760, Revised Statutes, 1911, authorizing the transfer of school children, and declaring an emergency."

The motion was lost.

## SENATE JOINT RESOLUTION NO. 11 ON SECOND READING.

On motion of Mr. Stewart of Reeves, the regular order of business was suspended to take up and have placed on

its second reading and passage to third reading.

S. J. R. No. 11, Proposing an amendment to Article 8 of the Constitution of the State of Texas, which relates to taxation and revenues, by adding thereto a new section to be known as Section 9a, directing the Legislature to provide for the construction, operation and maintenance, under State control, of a State system of public highways; authorizing the Legislature to provide for the issuance of bonds of the State or other forms of indebtedness for the construction of a State system of public highways, and to provide for the payment of said bonds; providing for an election for the ratification or rejection of the amendment herein proposed, and making an appropriation to defray the expense of said election.

The Speaker laid the resolution before the House and it was read second time.

Mr. Patman offered the following amendment to the resolution:

Amend Senate joint resolution No. 11 by striking out all of Section 9a after the words "specific taxes," in column 1, page 1673 of the House Journal, down to the words "provided also" in paragraph 3, Section 9a.

The amendment was adopted.

Mr. Burmeister offered the following amendment to the bill:

Strike out the words "June 5, 1923" wherever they appear and insert "fourth Saturday in July, 1923."

The amendment was adopted.

Mr. Burmeister moved to reconsider the vote by which the amendment was adopted and to table the motion to reconsider.

The motion to table prevailed.

Mr. Abney offered the following amendment to the resolution:

Amend Senate joint resolution No. 11 by adding at the end of Section 1 the following: "provided the Legislature shall have no power to levy an ad valorem tax under the terms of this amendment."

The amendment was adopted.

Senate joint resolution No. 11 was then passed to third reading by the following vote:

Yeas—84.

Mr. Speaker.	Baker of Orange.
Abney.	Barker.
Amsler.	Beasley.
Arnold.	Bell.
Avis.	Bird.
Baker of Milam.	Bonham.

Bryant.	Patman.
Burmeister.	Patterson.
Carpenter	Perdue.
of Dallas.	Pool.
Carson.	Pope.
Carter of Coke.	Potter.
Carter of Hays.	Price.
Chitwood.	Purl.
Coffee.	Quaid.
Culp.	Quinn.
Dinkle.	Rice.
Downs.	Rogers.
Driggers.	Rountree.
Duffey.	Russell
Dunn.	of Callahan.
Edwards.	Sackett.
Faubion.	Sanford.
Fugler.	Satterwhite.
Gipson.	Shearer.
Hardin of Erath.	Shires.
Henderson	Simpson.
of McLennan.	Smith.
Hendricks.	Sparkman.
Hughes.	Stell.
Hull.	Stewart
Irwin.	of Edwards.
Jones.	Stewart of Jasper.
Kemble.	Stewart of Reeves.
Lackey.	Sweet.
Lane.	Thrasher.
McFarlane.	Turner.
McNatt.	Vaughan.
Martin.	Wells.
Mathes.	Williamson.
Melson.	Wilson.
Montgomery.	Winfree.
Moore.	Young.
Morgan	
of Liberty.	

Nays—18.

Atkinson.	LeMaster.
Barrett.	Loftin.
Cable.	Looney.
Davis.	McDaniel.
Finlay.	Maxwell.
Hardin	Merritt.
of Kaufman.	Pinkston.
Howeth.	Stevens.
Jennings.	Storey.
Laird.	Westbrook.

Present—Not Voting.

Stiernberg.

Absent.

Baldwin.	Greer.
Blount.	Harris.
Carpenter	Jacks.
of Matagorda.	Lamb.
Collins.	McDonald.
Covey.	McKean.
Davenport.	Morgan
Fields.	of Robertson.
Green.	Pate.

Robinson.	Wallace.
Stroder.	Wessels.
Teer.	

Absent—Excused.

Bobbitt.	Houston.
Brady.	Johnson.
Cowen.	LeStourgeon.
Crawford.	Lewis.
DeBerry.	Lusk.
Dielmann.	McBride.
Dodd.	Merriman.
Dunlap.	Miller.
Durham.	Rowland.
Frnka.	Russell of Trinity.
Harrington.	Strickland.
Henderson	Thompson.
of Marion.	Wilmans.

MOTION TO TAKE UP SENATE  
BILL NO. 240.

Mr. Loftin moved that the regular order of business be suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 240, A bill to be entitled "An Act to amend Title 11, Chapter 6a, Article 588 $\frac{1}{2}$ pp of the Penal Code of the State of Texas so as to provide for the violation of said chapter, same being the Statewide Intoxicating Liquor Prohibition Law, and declaring an emergency."

The motion was lost.

SENATE BILL NO. 210 ON SECOND  
READING.

On motion of Mr. Bell, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 210, A bill to be entitled "An Act to amend subdivision 8 of Article 1140 of the Revised Statutes of the State of Texas, so as to hereafter provide that any corporation formed under subdivisions 1, 2 and 3, Article 1121, of said Revised Statutes may increase the number of its directors or trustees to not more than 75 instead of not more than 25, as now provided by said subdivision 8 of said Article 1140, and to repeal all laws, or parts of laws, in conflict herewith."

The Speaker laid the bill before the House and it was read second time and was passed to third reading.

MOTION TO TAKE UP SENATE BILL  
NO. 260.

Mr. McFarlane moved that the regular order of business be suspended to



take up and have placed on its second reading and passage to third reading.

S. B. No. 260, A bill to be entitled "An Act to reduce the royalty on oil and gas produced in river beds and channels from one-eighth to one-sixteenth, and declaring an emergency."

The motion was lost.

#### SENATE BILL NO. 288 ON SECOND READING.

On motion of Mr. Quinn, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 288, A bill to be entitled "An Act amending Article 303 of the Penal Code of the State of Texas so as to permit the sale of gasoline and lubricants on Sunday, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Williamson offered an amendment to the bill.

Mr. Quinn raised a point of order on consideration of the amendment on the ground that the amendment is not germane to the purpose of the bill.

The Speaker overruled the point of order.

Mr. Quinn moved the previous question on the amendment and the bill, and the motion was not seconded.

On motion of Mr. Jones, the amendment by Mr. Williamson was tabled.

Mr. Quinn moved that the House rule relating to the consideration of Senate bills on second reading be suspended temporarily so as to permit the consideration of such bills until 1:30 o'clock p. m. today.

The motion was lost.

Mr. Stewart of Reeves raised a point of order on further consideration of Senate bill No. 288 on the ground that the time allowed under the rules for consideration of Senate bills on second reading has expired.

The Speaker sustained the point of order.

#### RELATING TO VOTING BY MEMBER.

Mr. Pope moved that in view of the apology offered that the committee appointed to investigate matters relating to voting machine be discharged.

The motion prevailed.

#### RECESS.

Mr. Quinn moved that the House recess to 2 o'clock p. m. today.

Mr. Purl moved that the House recess to 2:30 o'clock p. m. today.

The motion of Mr. Purl prevailed, and the House, accordingly at 1:05 o'clock p. m., took recess to 2:30 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2:30 o'clock p. m., and was called to order by the Speaker.

#### EXTENDING THANKS TO TELEPHONE OPERATORS.

Mr. Smith offered the following resolution:

Be it resolved by the House of Representatives, That we extend our thanks and appreciation to Miss Elsie Nelson and Mrs. Arnold for their efficient and faithful service as telephone operators for the House of Representatives of the Thirty-eighth Legislature.

Signed—Smith, Carpenter of Dallas, Irwin, Kemble, Williamson, Jacks, Melson.

The resolution was read second time and was adopted.

#### BILLS SIGNED BY THE SPEAKER.

The Speaker signed in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 269, "An Act to amend Title 37 of the Revised Civil Statutes of the State of Texas, entitled 'Courts—District and County—Practice in,' by adding thereto Chapter 12a, relating to procedure in civil district courts in counties having two or more district courts with civil jurisdiction only and whose terms continue three months or longer."

H. B. No. 328, "An Act to repeal Article 7383a as enacted by the Thirty-sixth Legislature relating to occupation taxes based upon gross receipts, and adding in lieu thereof a new Article 7383a, providing an occupation tax on sulphur produced in the State of Texas by individuals, companies, corporations and associations; providing that in the event of either or a part of article be held unconstitutional by the courts it shall not invalidate the remainder of said article, and declaring an emergency."

H. B. No. 90, "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1892, and which have failed or are about to fail to construct their

roads and branches, or any part thereof, within the time required by law, and declaring an emergency."

H. B. No. 142, "An Act to appropriate the sum of one hundred thousand dollars, or as much thereof as may be necessary, out of the revenues of the State, for the erection of an administration building for the extension service of the Agricultural and Mechanical College of Texas, and the sum of fifteen thousand dollars out of the general revenues of the State for the repair and remodeling of Gathright Hall, and declaring an emergency."

H. B. No. 95, "An Act amending the workmen's compensation law, as amended by Chapter 103 of the General Laws of the Regular Session of the Thirty-fifth Legislature, and declaring an emergency."

H. B. No. 495, "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes of Texas, 1911, as amended by Chapter 72, General Laws of the Thirty-third Legislature, and Chapters 26 and 99, General Laws of the Thirty-fourth Legislature, and Chapter 131, General Laws of the Thirty-fifth Legislature, and Chapter 10 of the Third Called Session of the Thirty-fifth Legislature, and Chapter 13 of the Fourth Called Session of the Thirty-fifth Legislature, and Chapter 35 of the Acts of the Regular Session of the Thirty-sixth Legislature, and Chapter 105 of the Acts of the Regular Session of the Thirty-sixth Legislature, and Chapter 50 of the General Laws of the Third Called Session of the Thirty-sixth Legislature, and Chapter 32 of the General Laws of the Regular Session of the Thirty-seventh Legislature, with reference to the mode of preventing horses and certain other animals from running at large in the counties named, so as to include Leon county."

S. B. No. 213, "An Act to provide for the organization or admission and regulation and taxation of incorporated mutual insurance companies, and declaring an emergency."

#### RELATING TO MEMBER CASTING VOTE.

Mr. Hardin of Kaufman offered the following resolution:

Whereas, On various occasions the charge has been made that some member has been voted by another person; and

Whereas, The right of a member of

this House to vote is a solemn trust which can not be delegated to any other person whatsoever; and

Whereas, The integrity of this body, as well as the character and validity of legislation, must be protected against the abuses above mentioned; therefore be it

Resolved by the House of Representatives of the Thirty-eighth Legislature, That every member shall personally manipulate his voting machine in casting his vote; that no member shall be permitted to delegate to any person under any circumstances the right to vote for said member; and that no member or employe of the House shall be permitted under any circumstances to cast a vote for another member; and be it further

Resolved, That any vote not cast in accordance with this rule shall not be counted and any member or employe violating this rule shall be publicly censured by the Speaker, and further dealt with as the House may direct.

The resolution was read second time.

On motion of Mr. Satterwhite, the resolution was referred to the Committee on Rules.

#### HOUSE BILL NO. 65 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 65, A bill to be entitled "An Act to amend Articles 4918a, 4918f, 4918g, 4918i, 4918j, Title 17, Chapter 10A, Revised Statutes of Texas, 1914, authorizing the incorporation of mutual hail insurance companies; regulating the business of said companies; providing for the investment of reserve fund; requiring annual reports; fixing fees to be paid by such companies; and declaring an emergency. (Act 1913, p. 40.) Enlarging the scope of business by authorizing such mutual companies to insure against loss or damage to growing crops caused by hail, windstorms, sandstorms, excessive rains, floods, drouth, boll worms, boll weevil, insects, winter kill, freeze or other menace of substantial existence; providing a method for mutual hail insurance companies now existing to amend their charters, and declaring an emergency."

The bill was read third time.

On motion of Mr. Potter, the bill was laid on the table subject to call.

### HOUSE BILL NO. 112 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 112, A bill to be entitled "An Act to amend Article 5988 of the Revised Civil Statutes of the State of Texas of 1911, as amended by Chapter 40 of the Acts of the Thirty-fifth Legislature, Regular Session, approved February 23, 1917, so as to authorize the navigation and canal commissioners of navigation districts to fix the amount of the treasurer's bond in such sum as they deem proper."

The bill was read third time and was passed.

### HOUSE BILL NO. 116 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 116, A bill to be entitled "An Act to amend Chapter 1, Title 119, of the Revised Civil Statutes of Texas, as amended by Chapter 29 of the Acts of the Fourth Called Session of the Thirty-fifth Legislature, and by Chapter 98 of the General Laws of the Regular Session of the Thirty-sixth Legislature, fixing the compensation of county commissioners, by adding thereto Article 6901dd, fixing the compensation of county commissioners in all counties subject to the provisions of Chapter 42 of the General Laws of the First Called Session of the Thirty-seventh Legislature, and having a population of less than 50,000, and having a county auditor, and providing that this act shall not go into effect until the first day of January, 1925."

The bill was read third time.

On motion of Mr. Abney, the bill was laid on the table subject to call.

### HOUSE BILL NO. 174 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 174, A bill to be entitled "An Act to authorize any county for the purpose of constructing, maintaining and operating public roads, whether such roads are macademized, graveled or paved, or built of other material, to use timber, earth, sand, stone, gravel or other necessary materials convenient therefor; and to provide for the condemnation of such road material, and prescribing condemnation proceedings, and

providing compensation for such material, and declaring an emergency."

The bill was read third time and was passed.

### HOUSE BILL NO. 351 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 351, A bill to be entitled "An Act to amend Title 10 of the Code of Criminal Procedure of the State of Texas, as revised and adopted in 1911, by inserting immediately following Article 905 of said title, a new article to be known as Article 905a, requiring clerks of trial courts to notify clerks of courts of criminal appeals of the release of a convicted person on appeal bond, and requiring a certified copy of appeal bond to accompany the notification; and requiring a like notification on the surrender to a sheriff of a convicted person by his bondsmen pending the appeal of his case to Court of Criminal Appeals."

The bill was read third time and was passed.

### HOUSE BILL NO. 224 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 224, A bill to be entitled "An Act making it an offense to drive an automobile or any motor-driven vehicle upon the streets of any incorporated city, town or village, or upon the public highways under the influence of intoxicating liquor, and declaring an emergency."

The bill was read third time and was passed.

### HOUSE BILL NO. 420 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 420, A bill to be entitled "An Act for refunding certain bonds of the State of Texas now owned by the permanent school fund; providing for the execution of new bonds in lieu thereof; providing method of exchange of said bonds; making appropriation to pay accrued interest and to pay expense of lithographing bonds, and declaring an emergency."

The bill was read third time and was passed.

HOUSE BILL NO. 577 ON THIRD  
READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 577, A bill to be entitled "An Act to amend Article 2862 of the Revised Civil Statutes of the State of Texas, 1911, so as to permit independent school districts to have their taxes assessed and collected by the county assessor and the county collector without being required to have such assessments made at the same valuations that are used for State and county taxation, and declaring an emergency."

The bill was read third time and was passed.

HOUSE BILL NO. 636 ON THIRD  
READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 636, A bill to be entitled "An Act to amend Section 1, Chapter 65, Acts of the Thirty-sixth Legislature, Second Called Session, providing for the dissolution of consolidated school districts by majority vote of the qualified voters of the district at an election held for that purpose, and declaring an emergency."

The bill was read third time and was passed.

HOUSE BILL NO. 664 ON THIRD  
READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 664, A bill to be entitled "An Act amending Section 124a of Chapter 124 of the General Laws of the Regular Session of the Twenty-ninth Legislature, page 296, so as to make it a felony to violate said section, said section being upon the subject of preventing fraud in teachers' examinations, and declaring an emergency."

The bill was read third time and was passed.

HOUSE BILL NO. 641 ON THIRD  
READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 641, A bill to be entitled "An Act to amend Section 2, Chapter 23, Acts of the Thirty-sixth Legislature, Second Called Session, providing for the setting apart of an amount sufficient to purchase and distribute the necessary school books for the use of the public

free schools of this State; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read third time and was passed.

## MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, March 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. C. R. No. 23, Relating to the Governor's call for a special session of the Legislature by the following vote: 18 yeas, 6 nays, one present and not voting.

And it has passed

H. B. No. 653, A bill to be entitled "An Act making an appropriation for the purchase of the electric voting machine now installed in the House of Representatives, and declaring an emergency."

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

HOUSE BILL NO. 671 ON THIRD  
READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 671, A bill to be entitled "An Act to amend Section 16 of Chapter 60, General Laws, passed at the Regular Session of the Thirty-fifth Legislature, making it an offense to remove any domestic animal or animals which have been quarantined; prescribing a penalty for the violation thereof; fixing the venue where prosecutions may be had, and declaring an emergency."

The bill was read third time and was passed.

HOUSE BILL NO. 684 ON THIRD  
READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 684, A bill to be entitled "An Act to create the County Court of Tarrant County for Civil Cases No. 2, and prescribing the jurisdiction thereof, giving said court concurrent jurisdiction with the County Court of Tarrant County for Civil Cases in all matters and causes over which the County Court of Tarrant County for Civil Cases has jurisdiction, fixing the salary of

the judge of the County Court of Tarrant County for Civil Cases No. 2; providing for the appointment and election of the judge of said court hereby created and providing for the filling of vacancies in said office, providing for the transfer of causes from the docket of the County Court of Tarrant County for Civil Cases to the dockets of the court hereby created, by the county clerk of Tarrant county, and providing for the transfer of causes from the dockets of the County Court of Tarrant County for Civil Cases to the docket of the court hereby created by the judge of the County Court of Tarrant County for Civil Cases, at his discretion, and providing for the transfer of causes from the dockets of the court hereby created to the dockets of the County Court of Tarrant County for Civil Cases by the judge of the court hereby created, at his discretion, and providing for the appointment of an official shorthand reporter who shall be an officer of the court hereby created, and declaring an emergency."

The bill was read third time and was laid on the table subject to call.

#### HOUSE BILL NO. 694 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 694, A bill to be entitled "An Act authorizing the appointment of a person to represent the State of Texas in a conference with representatives of the United States and of the State of New Mexico, with a view to negotiating an agreement concerning the storage, division and use of the waters of the Pecos River in New Mexico and Texas; authorizing the gathering of data and information necessary thereto; prescribing the authority and duties of such representatives; prescribing the method of reaching such agreement and having the same agreed to and ratified by the State Legislature and approved by the Governor; making an appropriation to carry out the purposes of the act, and declaring an emergency."

The bill was read third time and was passed.

#### HOUSE BILL NO. 3 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 3, A bill to be entitled "An Act to provide for the purchase and

conveyance to the State of Texas of the land in the city of San Antonio known as the Ancient Government Palace property, which was the building used as the capitol of the ancient province of Texas; and for the care and preservation of said property; and appropriating the sum of fifty-seven thousand (\$57,000) dollars to carry out the provisions of this act."

The bill was read third time.

Mr. Simpson moved the previous question on the passage of the bill, and the main question was ordered.

House bill No. 3 then failed to pass by the following vote:

#### Yeas—50.

Amsler.	Mathes.
Arnold.	Montgomery.
Baker of Milam.	Pate.
Baker of Orange.	Patman.
Beasley.	Patterson.
Carson.	Pinkston.
Carter of Coke.	Pool.
Carter of Hays.	Potter.
Chitwood.	Price.
Davenport.	Quinn.
Dinkle.	Rogers.
Dunn.	Rountree.
Fugler.	Russell
Gipson.	of Callahan.
Green.	Sackett.
Hardin of Erath.	Shires.
Hardin	Simpson.
of Kaufman.	Smith.
Harris.	Sparkman.
Henderson	Stell.
of McLennan.	Stewart
Hendricks.	of Edwards.
Hughes.	Stroder.
Hull.	Turner.
Irwin.	Wells.
Lackey.	Williamson.
McDaniel.	Wilson.

#### Nays—52.

Abney.	Howeth.
Baldwin.	Jennings.
Barker.	Jones.
Barrett.	Kemble.
Bell.	Laird.
Bird.	Lane.
Burmeister.	LeMaster.
Cable.	Looney.
Carpenter	McFarlane.
of Dallas.	McKean.
Coffee.	McNatt.
Collins.	Martin.
Culp.	Maxwell.
Davis.	Melson.
Downs.	Merritt.
Driggers.	Morgan
Duffey.	of Liberty.
Fields.	Morgan
Finlay.	of Robertson.

Perdue.	Stewart of Reeves.
Purl.	Stiernberg.
Quaid.	Storey.
Rice.	Sweet.
Robinson.	Teer.
Sanford.	Thrasher.
Satterwhite.	Vaughan.
Shearer.	Westbrook.
Stewart of Jasper.	Young.

Present—Not Voting.

Bryant.	Carpenter
McDonald.	of Matagorda.

Absent.

Atkinson.	Lamb.
Blount.	Loftin.
Bonham.	Moore.
Covey.	Pope.
Edwards.	Stevens.
Faubion.	Wallace.
Greer.	Wessels.
Jacks.	Winfree.

Absent—Excused.

Avis.	Houston.
Bobbitt.	Johnson.
Brady.	LeStourgeon.
Cowen.	Lewis.
Crawford.	Lusk.
DeBerry.	McBride.
Dielmann.	Merriman.
Dodd.	Miller.
Dunlap.	Rowland.
Durham.	Russell of Trinity.
Frnka.	Strickland.
Harrington.	Thompson.
Henderson	Wilmans.
of Marion.	

Mr. Barker moved to reconsider the vote by which the bill failed to pass and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—55.

Abney.	Carter of Coke.
Amsler.	Coffee.
Atkinson.	Collins.
Baldwin.	Covey.
Barker.	Culp.
Barrett.	Davis.
Bell.	Driggers.
Bird.	Duffey.
Bryant.	Faubion.
Burmeister.	Fields.
Cable.	Finlay.
Carpenter	Henderson
of Dallas.	of McLennan.
Carpenter	Howeth.
of Matagorda.	Jennings.

Jones.	Quaid.
Kemble.	Rice.
Laird.	Robinson.
Lane.	Sanford.
Looney.	Satterwhite.
McFarlane.	Shearer.
McNatt.	Stewart of Jasper.
Martin.	Stewart of Reeves.
Merritt.	Stiernberg.
Morgan	Storey.
of Liberty.	Sweet.
Morgan	Teer.
of Robertson.	Thrasher.
Perdue.	Vaughan.
Purl.	Young.

Nays—50.

Arnold.	Montgomery.
Baker of Milam.	Pate.
Baker of Orange.	Patman.
Beasley.	Pinkston.
Carson.	Pool.
Carter of Hays.	Potter.
Chitwood.	Price.
Davenport.	Quinn.
Dinkle.	Rogers.
Downs.	Rountree.
Dunn.	Russell
Fugler.	of Callahan.
Gipson.	Sackett.
Green.	Shires.
Hardin of Erath.	Simpson.
Hardin	Smith.
of Kaufman.	Sparkman.
Harris.	Stell.
Hendricks.	Stewart
Hughes.	of Edwards.
Hull.	Stroder.
Irwin.	Turner.
Lackey.	Wallace.
LeMaster.	Wells.
McDaniel.	Westbrook.
McDonald.	Williamson.
Maxwell.	Wilson.

Absent.

Blount.	Mathes.
Bonham.	Melson.
Edwards.	Moore.
Greer.	Patterson.
Jacks.	Pope.
Lamb.	Stevens.
Loftin.	Wessels.
McKean.	Winfree.

Absent—Excused.

Avis.	Durham.
Bobbitt.	Frnka.
Brady.	Harrington.
Cowen.	Henderson
Crawford.	of Marion.
DeBerry.	Houston.
Dielmann.	Johnson.
Dodd.	LeStourgeon.
Dunlap.	Lewis.

Lusk.  
McBride.  
Merriman.  
Miller.  
Rowland.

Russell of Trinity.  
Strickland.  
Thompson.  
Wilmons.

# HOUSE BILL NO. 411 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 411, A bill to be entitled "An Act granting permission to Cleo Fletcher to bring suit against the State of Texas in the district court of McLennan county, Texas, or Coryell county, Texas, for personal injury claimed to be due said Cleo Fletcher for the loss of a leg while in the Reformatory for Juveniles, and declaring an emergency."

The bill was read third time and was passed.

Mr. Henderson of McLennan moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

# HOUSE BILL NO. 435 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 435, A bill to be entitled "An Act regulating the lighting of all motor vehicles and horse-drawn vehicles operating upon the highways in Texas; providing for the testing of such lighting devices and the approval of same by the State Highway Commission before being used on any motor vehicle operated within this State; giving the highway commission power to test and approve such lighting devices, and providing that they shall charge a fee sufficient to cover the actual expense for conducting such test; providing penalties for the violation of this act; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read third time and was passed.

Mr. Burmeister moved a call of the House for the purpose of maintaining a quorum until 6 o'clock p. m. today, and the motion was lost.

Mr. Quaid moved a call of the House for the purpose of maintaining a quorum until 5 o'clock p. m. today.

The motion was lost.

# SENATE BILL NO. 8 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 8, A bill to be entitled "An Act providing that if any sheriff, deputy sheriff, constable, ranger, city marshal, chief of police, policeman, or any other public officer in this State having under arrest or in his custody as prisoner any person, shall torture, torment or punish any such person by inflicting on him any mental or physical pain for the purpose of making such person confess any knowledge of the commission of any crime, such officer shall be deemed guilty of a misdemeanor and shall be punished as hereinafter provided, and declaring an emergency."

The bill was read third time and was passed.

# SENATE BILL NO. 121 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 121, A bill to be entitled "An Act to amend Article 3107 of the Revised Civil Statutes of Texas of 1911, which relates to county executive committee, county and precinct chairmen elected at primaries, such committees now composed of one member from each voting or justice precinct in such county, as the party executive committee may, as the county chairman and a precinct chairman for each voting or justice precinct, as the case may be, are elected by the qualified voters of the county on primary election day by providing that the county executive committee shall be composed of one member from each justice precinct in the county and a county chairman elected from the whole county; and providing that the members of the said committee shall be elected at the precinct conventions held on the primary election day; providing for the election of a county chairman at the county convention held as provided for in Article 3134, Revised Civil Statutes, and providing the time for said executive committee to begin their term of office; and to repeal Article 3108 of the Revised Civil Statutes of Texas of 1911, relating to the county chairman of the executive committee, his election, member of the district executive committee, his term of office, etc.; by providing that he shall be elected at the county convention of his party which is held as provided for in Article 3134 of the Revised Statutes of the State of Texas of 1911, and providing for the time for him to assume the duties of his office."

The bill was read third time and was passed.

**SENATE BILL NO. 135 ON THIRD READING.**

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 135, A bill to be entitled "An Act making appropriation to cover deficiencies in appropriation heretofore made for the support of the State government for the fiscal year ending August 31, 1922, and declaring an emergency."

The bill was read third time and was passed.

**SENATE BILL NO. 149 ON THIRD READING.**

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 149, A bill to be entitled "An Act to amend Article 3896 and Article 3901 of Title 58, Chapter 4 of the Revised Civil Statutes of Texas, 1911, relative to the meaning and beginning of a fiscal year, such year beginning on January first of each year, and requiring each officer named in Articles 3881 to 3886, and also the sheriffs to file reports and make the settlement required in this chapter on January first of each year, and further requiring of such officers on or before the second Mondays in March, June, September and December of each year to make reports in writing and under oath to the commissioners court of their respective counties of all moneys and fees coming to their hands as such officers, and the name of the person entitled thereto, and requiring such report to be filed with the county clerk, and by him kept and preserved for future reference and examination, and declaring an emergency."

The bill was read third time and was passed.

**SENATE BILL NO. 164 ON THIRD READING.**

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 164, A bill to be entitled "An Act to amend Chapter 1, Title 29, of the Revised Civil Statutes of Texas of 1911, by adding thereto Articles 1459a and 1459b; providing for the auditing of the books, records and accounts of district, county and precinct officers, agents and employees and of in-

stitutions maintained by the county, and at public expense or order of the county commissioners court and declaring an emergency."

The bill was read third time and was passed.

**SENATE BILL NO. 198 ON THIRD READING.**

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 198, A bill to be entitled "An Act authorizing any street or suburban railway company, or interurban railway company, to lease or acquire and own, maintain and operate automobiles, automobile buses and automobile bus lines for transportation of passengers or property, or both; authorizing the inclusion of such powers in the charters of such companies hereafter organized, so as to include such powers, and declaring an emergency."

The bill was read third time and was passed.

**SENATE BILL NO. 234 ON THIRD READING.**

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 234, A bill to be entitled "An Act to amend Article 3833 of Chapter 4 of the General Laws of the State of Texas as passed by the Thirty-sixth Legislature at its Third Called Session, 1920, entitled 'An Act to amend Article 3883 of Chapter 130 of the General Laws of the State of Texas passed by the Thirty-fifth Legislature at its Regular Session, regulating the fees allowed county officers in certain counties in this State, and declaring an emergency,' so as to add to and include in the counties of this State therein referred to counties in this State wherein the taxable values are not less than \$40,000,000, nor more than \$60,000,000, and declaring an emergency."

The bill was read third time and was passed.

**SENATE BILL NO. 251 ON THIRD READING.**

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 251, A bill to be entitled "An Act to amend Article 2904, Revised Statutes, 1911, forbidding trustees and teachers to be interested in the sale of text books, and declaring an emergency."



The bill was read third time, and was passed.

SENATE BILL NO. 257 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 257, A bill to be entitled "An Act to amend Sections 1 and 2, Chapter 49, General Laws of the Regular Session of the Thirty-fourth Legislature; raising the maximum age prescribed for compulsory attendance in the public schools of the State; increasing the compulsory school attendance period; restating certain exemptions under said act, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 262 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 262, A bill to be entitled "An Act to amend an act to reorganize the Thirty-fifth and Twenty-seventh Judicial Districts of Texas, passed by the Twenty-ninth Legislature, Chapter 37, as amended by the Second Called Session of the Thirty-first Legislature, Chapter 3, as further amended by the Regular Session of the Thirty-third Legislature, Chapter 61, and as further amended by the Acts of the Regular Session of the Thirty-seventh Legislature, Chapter 31, page 75, and to reorganize the Thirty-fifth Judicial District of Texas; to name the counties composing said Thirty-fifth Judicial District; to fix the time of holding court in the counties composing said Thirty-fifth Judicial District; to provide for the extension and return of process issued out of said courts, and to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 267 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 267, A bill to be entitled "An Act authorizing counties to issue bonds under Section 52 of Article 3 of the Constitution for irrigation purposes; empowering such counties to construct, purchase and acquire reservoirs, dams, levees, wells, canals, laterals, ditches,

pumping plants and other improvements required for the proper and efficient irrigation of the land in such counties; to hold elections upon the question of issuing bonds and the levy of taxes for their payment; providing for the levy and collection of such taxes; providing for the control, management and operation of the irrigation system of such counties; providing for the issuance of notes by such counties for certain irrigation purposes, and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 287 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 287, A bill to be entitled "An Act to amend Article 6272 of the Revised Statutes of Texas, defining indigency and in that particular describing who and under what conditions shall be entitled to the rights and privileges of a Confederate pension and who shall be entitled to become an inmate of the Confederate Home or other public institution at the expense of the State."

The bill was read third time and was passed.

SENATE BILL NO. 291 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 291, A bill to be entitled "An Act to amend Article 1381 of the Revised Civil Statutes, 1911, providing for the payment of a gross receipts tax by all persons, companies, corporations and associations of persons engaged in publishing, printing or selling textbooks in the schools of this State, or law books, or owning, controlling or managing any such business as textbooks or law book purchasers so as to exempt any corporation organized by the students and faculty of any State-supported institution of learning without capital stock and which pays no dividends and is organized for the purpose of supplying books and other school supplies to the students of such institution and whose assets on the dissolution of the corporation passes to the governing board of the institution as a trust fund to be used for the benefit of the institution, and declaring an emergency."

The bill was read third time and was passed.

## SENATE BILL NO. 325 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 325, A bill to be entitled "An Act amending Articles 10, 15, 27, 31, 32, 39, 40, 50, 53 and 63 of an act passed at the First Called Session of the Thirty-sixth Legislature of the State of Texas, entitled 'An Act creating the office of Game, Fish and Oyster Commissioner; providing for the protection of fish and other marine life,' being Senate bill No. 107, Chapter 73 of the General Laws of the said First Called Session, changing certain penalties therein; making necessary changes in regulations; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read third time.

Mr. Shearer offered the following amendments to the bill:

(1)

Amend Senate bill No. 325 by striking out all of Article 10 of Section 1 and all reference to Article 10 in Section 1.

(2)

Amend caption of Senate bill No. 325 by striking out the number "10" where it occurs.

The amendments were severally adopted.

Senate bill No. 325 was then passed.

## SENATE BILL NO. 338 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 338, A bill to be entitled "An Act to amend Section 52 of Article 30, Title 5 of the Revised Statutes, changing the time of holding the terms of the district court of the Fifty-second Judicial District of Texas; repealing all laws in conflict therewith, and declaring an emergency."

The bill was read third time and was passed.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has rescinded its action in refusing to concur in House amendment to Senate bill No. 123 by the following vote: 27 yeas

and no nays, and it has withdrawn its request for a free conference committee.

And the Senate has concurred in House amendments to Senate bill No. 123 by the following vote: 25 yeas and 3 nays.

The Senate has passed

H. B. No. 239, A bill to be entitled "An Act relating to and providing for vocational education, accepting and validating previous acceptances of the benefits of an act passed by the Congress of the United States, approved on February 23, 1917, for the promotion of vocational education, designating the State Treasurer of the State of Texas as custodian for the reception and disbursement of all funds allotted to this State from appropriations made by the said act of Congress; designating and authorizing the State Board of Vocational Education to act in co-operation with the Federal Board of Vocational Education in the administration of the provisions of said act; naming conditions under which aid may be extended by the State Board of Vocational Education, and declaring an emergency."

H. B. No. 270, A bill to be entitled "An Act providing for the disposition of liquor seized by officers and others under the prohibition laws of the State; providing that reports in triplicate be made and the liquor and other property be left with the sheriff and receipt taken, and the sheriff held responsible on his bond for the safe-keeping of the same, and providing penalties for the violation of this act."

H. B. No. 469, A bill to be entitled "An Act to amend Section 70 of Chapter 87 of the Acts of the Regular Session of the Thirty-fifth Legislature of Texas by providing for amortization and an emergency fund for water improvement and irrigation districts and directing the purpose for which said fund shall be expended and providing for its investment and to amend Section 95 of said Chapter 87 by providing the method and manner of making and collecting water assessments, and declaring an emergency."

Respectfully,  
RICHARD BLALOCK,  
Assistant Secretary of the Senate.

## SENATE BILL NO. 394 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 394, A bill to be entitled "An Act making an appropriation for

printing to the State Department of Education to print the necessary blanks and bulletins pertaining to the scholastic year 1922-1923, and in order that bulletin forms and blanks for the public schools may be prepared as nearly as possible by the opening of the scholastic year 1923-1924, and declaring an emergency."

The bill was read third time and was passed.

#### SENATE BILL NO. 406 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 406, A bill to be entitled "An Act to amend Chapter 141, Acts of the Regular Session of the Thirty-fifth Legislature, so as to prohibit commissioners courts and supervisors and levee improvement districts from letting any contract calling for or requiring the expenditure of two thousand dollars (\$2000) or more without first submitting same to competitive bids and publishing notice of the proposed letting of such contract; provided that such requirement may be waived in case of public calamity; requiring all contracts for more than five hundred dollars (\$500) and less than two thousand dollars (\$2000) be let on competitive basis; providing that contracts made in violation of this act shall not be enforced and may be enjoined, and declaring an emergency."

The bill was read third time and was passed.

#### NOTICE GIVEN.

Mr. Wessels gave notice that he would on tomorrow call up for consideration at that time Senate bill No. 237, which bill has heretofore been laid on the table subject to call.

(Mr. Satterwhite in the chair.)

#### SENATE BILL NO. 248 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 248, A bill to be entitled "An Act to require a record kept and report made of attendance of teachers at summer normals and county institutes, and providing full pay for attendance upon teachers' institutes."

The bill was read third time.

Mr. Covey offered the following amendment to the bill:

Amend Senate bill No. 248 by adding to Section 1 the following:

"Provided that upon the petition of fifty qualified voters of any county of Texas, the commissioners court of said county may call an election to determine whether or not the teachers of said county shall be required to attend a county teachers' institute in said county, and receive pay for attendance; said election, when ordered by the commissioners court, shall be held under the provisions and according to the law governing the holding of county elections, and should it be determined by a majority vote of the qualified voters of the county that teachers' institutes shall not be held in said county, the commissioners court shall make an order to that effect, and cause same to be entered on record in the minutes of said county."

Signed—Covey, Stewart of Jasper.

Mr. Carter of Coke moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—72.

Abney.	Henderson
Arnold.	of McLennan.
Atkinson.	Houston.
Baker of Milam.	Howeth.
Baker of Orange.	Hughes.
Baldwin.	Jennings.
Barker.	Jones.
Barrett.	Kemble.
Beasley.	Lackey.
Bird.	Laird.
Blount.	Lane.
Bonham.	Looney.
Bryant.	McDaniel.
Burmeister.	McDonald.
Cable.	Martin.
Carpenter	Melson.
of Matagorda.	Merritt.
Carson.	Morgan
Carter of Hays.	of Liberty.
Coffee.	Morgan
Collins.	of Robertson.
Covey.	Pate.
Davis.	Perdue.
Dinkle.	Pinkston.
Downs.	Price.
Driggers.	Purl.
Duffey.	Quaid.
Finlay.	Rice.
Fugler.	Robinson.
Gipson.	Rogers.
Hardin of Erath.	Rountree.

Russell of Callahan.	Stewart of Jasper.
Sackett.	Stewart of Reeves.
Sanford.	Storey.
Shires.	Stroder.
Smith.	Vaughan.
Sparkman.	Wells.
Stell.	Wessels.
Stewart of Edwards.	Williamson.

## Nays—29.

Amsler.	Irwin.
Bell.	McFarlane.
Carpenter of Dallas.	McNatt.
Carter of Coke.	Mathes.
Chitwood.	Moore.
Davenport.	Pool.
Dunn.	Potter.
Faubion.	Quinn.
Fields.	Satterwhite.
Green.	Shearer.
Hardin	Simpson.
of Kaufman.	Sweet.
Harris.	Teer.
Hendricks.	Thrasher.
Hull.	Wilson.
	Young.

## Present—Not Voting.

Edwards.	Pope.
Montgomery.	

## Absent.

Culp.	Patman.
Greer.	Patterson.
Jacks.	Stevens.
Lamb.	Stiernberg.
LeMaster.	Turner.
Loftin.	Wallace.
McKean.	Westbrook.
Maxwell.	Winfree.

## Absent—Excused.

Avis.	Henderson
Bobbitt.	of Marion.
Brady.	LeStourgeon.
Cowen.	Lewis.
Crawford.	Lusk.
DeBerry.	McBride.
Dielmann.	Merriman.
Dodd.	Miller.
Dunlap.	Rowland.
Durham.	Russell of Trinity.
Frnka.	Strickland.
Harrington.	Thompson.
Johnson.	Wilmons.

Mr. Burmeister moved a call of the House for the purpose of maintaining a quorum until 5:15 o'clock p. m. today, and the call was duly seconded and ordered.

The Speaker then directed the Door-keeper to close the main entrance to the

Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

(Speaker in the chair.)

Senate bill No. 248 was then finally passed.

Mr. Davenport moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

## Reason For Vote.

I vote "no" because, in my opinion, the amendment just adopted makes the bill unconstitutional.

HENDRICKS.

## SENATE BILL NO. 271 ON THIRD READING.

Mr. Jones moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 271 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—104.

Mr. Speaker.	Fields.
Abney.	Finlay.
Amsler.	Fugler.
Arnold.	Gipson.
Atkinson.	Green.
Baker of Milam.	Hardin of Erath.
Baker of Orange.	Hardin
Baldwin.	of Kaufman.
Barker.	Harris.
Barrett.	Henderson
Beasley.	of McLennan.
Bell.	Howeth.
Blount.	Hughes.
Burmeister.	Hull.
Cable.	Irwin.
Carpenter	Jennings.
of Dallas.	Jones.
Carpenter	Kemble.
of Matagorda.	Lackey.
Carson.	Laird.
Carter of Coke.	Lane.
Carter of Hays.	Looney.
Chitwood.	McDaniel.
Coffee.	McFarlane.
Collins.	McKean.
Davenport.	McNatt.
Davis.	Martin.
Dinkle.	Mathes.
Downs.	Merritt.
Driggers.	Montgomery.
Duffey.	Moore.
Dunn.	Morgan
Edwards.	of Liberty.
Faubion.	

Morgan	Shearer.
of Robertson.	Shires.
Pate.	Simpson.
Patman.	Smith.
Patterson.	Sparkman.
Perdue.	Stell.
Pinkston.	Stewart
Pool.	of Edwards.
Pope.	Stewart of Jasper.
Potter.	Stewart of Reeves.
Price.	Stiernberg.
Purl.	Storey.
Quaid.	Stroder.
Quinn.	Sweet.
Rice.	Teer.
Robinson.	Thrasher.
Rogers.	Vaughan.
Rountree.	Wallace.
Russell	Wells.
of Callahan.	Wessels.
Sackett.	Williamson.
Sanford.	Wilson.
Satterwhite.	Young.

Present—Not Voting.

Bird. Hendricks.

Absent.

Bobbitt.	LeMaster.
Bonham.	Loftin.
Brady.	McDonald.
Bryant.	Maxwell.
Covey.	Melson.
Culp.	Stevens.
Greer.	Turner.
Jacks.	Westbrook.
Lamb.	Winfree.

Absent—Excused.

Avis.	Johnson.
Cowen.	LeSturgeon.
Crawford.	Lewis.
DeBerry.	Lusk.
Dielmann.	McBride.
Dodd.	Merriman.
Dunlap.	Miller.
Durham.	Rowland.
Frnka.	Russell of Trinity.
Harrington.	Strickland.
Henderson	Thompson.
of Marion.	Wilmans.
Houston.	

The Speaker laid the bill before the House and it was read third time and was passed.

Mr. Jones moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

#### HOUSE BILL NO. 412 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 412, A bill to be entitled "An Act appropriating the total sum of twenty-six hundred and eighty-eight dollars (\$2688) to Carl L. Estes, former sergeant of Troop L, 5th Texas National Guard Regiment, for his care and provision, and as partial compensation for permanent physical disability incurred in line of military duty while in the service of the State of Texas at Camp Stanley, Texas, in October, 1918. Of said total appropriation, the sum of five hundred and twenty-eight dollars (\$528) being for a deficiency from the period of November 1, 1919, to November 30, 1921, and the sum of twenty-one hundred and sixty dollars (\$2160) being for the care, provision and partial compensation of said Carl L. Estes from December 1, 1921, to and including December 31, 1924."

The bill was read third time.

Question recurring on the passage of the bill, yeas and nays were demanded.

House bill No. 412 was then passed by the following vote:

Yeas—80.

Amsler.	Jennings.
Arnold.	Jones.
Baker of Milam.	Kemble.
Baker of Orange.	Lackey.
Baldwin.	Laird.
Barrett.	Lane.
Bell.	McDaniel.
Bird.	McNatt.
Blount.	Martin.
Burmeister.	Mathes.
Carpenter	Melson.
of Dallas.	Montgomery.
Carpenter	Moore.
of Matagorda.	Morgan
Carson.	of Liberty.
Carter of Coke.	Morgan
Carter of Hays.	of Robertson.
Chitwood.	Patman.
Coffee.	Patterson.
Collins.	Perdue.
Covey.	Pinkston.
Davenport.	Pool.
Dinkle.	Pope.
Downs.	Potter.
Driggers.	Purl.
Dunn.	Quaid.
Edwards.	Quinn.
Faubion.	Rice.
Fugler.	Robinson.
Gipson.	Rogers.
Green.	Rountree.
Hardin of Erath.	Russell
Harris.	of Callahan.
Hendricks.	Sackett.
Hughes.	Sanford.
Hull.	Satterwhite.
Irwin.	Shearer.

Smith.	Thrasher.
Sparkman.	Wallace.
Stewart of Reeves.	Wells.
Stroder.	Wilson.
Sweet.	Young.
Teer.	

Nays—20.

Atkinson.	Looney.
Barker.	McFarlane.
Cable.	McKean.
Davis.	Merritt.
Duffey.	Simpson.
Fields.	Stell.
Finlay.	Stewart
Hardin	of Edwards.
of Kaufman.	Stewart of Jasper.
Henderson	Stiernberg.
of McLennan.	Vaughan.
Howeth.	Wessels.

Present—Not Voting.

Mr. Speaker.	Pate.
Abney.	Storey.

Absent.

Beasley.	McDonald.
Bonham.	Maxwell.
Bryant.	Price.
Culp.	Shires.
Greer.	Stevens.
Jacks.	Turner.
Lamb.	Westbrook.
LeMaster.	Williamson.
Loftin.	Winfree.

Absent—Excused.

Avis.	Houston.
Bobbitt.	Johnson.
Brady.	LeStourgeon.
Cowen.	Lewis.
Crawford.	Lusk.
DeBerry.	McBride.
Dielmann.	Merriman.
Dodd.	Miller.
Dunlap.	Rowland.
Durham.	Russell of Trinity.
Frnka.	Strickland.
Harrington.	Thompson.
Henderson	Wilmans.
of Marion.	

## SENATE BILL NO. 391 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 391, A bill to be entitled "An Act to prohibit private corporations, persons, cities, towns or other public corporations from exercising the right of eminent domain over certain riparian and water rights and lands under or adjacent to any streams in

this State, used for the purpose of developing water power; excepting from the provisions hereof cities and towns having a population of 25,000 or over; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read third time and was passed.

## SENATE BILL NO. 256 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 256, A bill to be entitled "An Act creating an educational survey commission to make a thorough survey of the public educational system of the State; providing for its selection by a survey committee designated in this act; designating the number of members of said educational survey commission; providing for its organization, and prescribing the qualifications of a majority of the members thereof; providing for a complete report of the findings and recommendations of the educational survey commission to be made to the Governor and Legislature by December 1, 1924; providing for the employment of a survey secretary and staff of assistants to make a survey of the school system of the State; providing that the educational survey commission and its employes shall have access to all public records and providing a penalty for the violation of this provision of this act; appropriating the sum of \$50,000, or as much thereof as may be necessary, to defray the expenses of the proposed educational survey, and prescribing the manner of its disbursement, and declaring an emergency."

The bill was read third time and was passed.

Mr. Stewart of Edwards moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

## RELATING TO CALLED SESSION OF THE LEGISLATURE.

The Speaker laid before the House for consideration at this time the following resolution:

S. C. R. No. 23, Relating to Call Session of the Legislature.

Whereas, The regular session of the Thirty-eighth Legislature has kept its members wholly engrossed in the affairs of State for sixty days; and

Whereas, The discharge of its duties

and the extent of its labors are attested by the enactment of much legislation and the consideration of many measures not enacted; and

Whereas, It is the opinion of the members thereof that it is not only just and reasonable that they be permitted to return to their homes and give at least thirty days' attention to their private business before being reconvened in special session, and that such delay will not in any way be detrimental to the State's interest, but on the other hand will be beneficial; therefore, be it

Resolved, That we respectfully urge these views upon the Governor for his consideration, in the hope that he may reconsider his call for a special session to convene March the 15th and in some way make the suggested delay possible.

The resolution was read second time.

Mr. Jones offered the following amendment to the resolution:

Amend Senate concurrent resolution No. 23 by adding after the word "possible" in last paragraph of resolution the following:

"Be it further resolved, That should the Governor reconsider his call for this special session, that no mileage be allowed or claimed by members of the Legislature for such special session that might hereafter be called in lieu of the special session now called.

Signed—Jones, Bonham, Hardin of Erath.

Mr. Westbrook moved the previous question on the pending amendment and the resolution, and the main question was ordered.

Question first recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—39.

Baker of Milam.	Jacks.
Baker of Orange.	Jones.
Beasley.	Lackey.
Bell.	LeMaster.
Bonham.	Looney.
Burmeister.	Martin.
Cable.	Maxwell.
Carpenter	Montgomery.
of Dallas.	Patterson.
Carter of Hays.	Perdue.
Chitwood.	Pool.
Collins.	Quaid.
Davenport.	Robinson.
Downs.	Russell
Dunn.	of Callahan.
Faubion.	Sackett.
Gipson.	Satterwhite.
Hardin of Erath.	Stell.
Irwin.	Thrasher.

Wallace.  
Williamson.

Young.

Nays—65.

Abney.	Melson.
Amsler.	Merritt.
Arnold.	Moore.
Atkinson.	Morgan
Baldwin.	of Liberty.
Barker.	Morgan
Barrett.	of Robertson.
Bird.	Pate.
Carpenter	Patman.
of Matagorda.	Pinkston.
Carson.	Pope.
Carter of Coke.	Potter.
Coffee.	Price.
Covey.	Quinn.
Davis.	Rice.
Dinkle.	Rogers.
Driggers.	Rountree.
Duffey.	Sanford.
Edwards.	Shearer.
Fields.	Simpson.
Finlay.	Smith.
Fugler.	Sparkman.
Green.	Stewart
Hardin	of Edwards.
of Kaufman.	Stewart of Reeves.
Harris.	Stiernberg.
Hendricks.	Storey.
Hughes.	Sweet.
Jennings.	Teer.
Laird.	Turner.
Lane.	Vaughan.
McBride.	Wells.
McDaniel.	Westbrook.
McFarlane.	Wessels.
McNatt.	Wilson.
Mathes.	

Present—Not Voting.

Blount.

Absent.

Bryant.	Johnson.
Culp.	Kemble.
Frnka.	Lamb.
Greer.	Loftin.
Harrington.	McDonald.
Henderson	McKean.
of Marion.	Purl.
Henderson	Shires.
of McLennan.	Stevens.
Houston.	Stewart of Jasper.
Howeth.	Stroder.
Hull.	Winfree.

Absent—Excused.

Avis.	Dodd.
Bobbitt.	Dunlap.
Brady.	Durham.
Cowen.	LeStourgeon.
Crawford.	Lewis.
DeBerry.	Lusk.
Dielmann.	Merriman.

Miller.  
Rowland.  
Russell of Trinity.

Strickland.  
Thompson.  
Wilmans.

Question recurring on the resolution,  
yeas and nays were demanded.

The resolution was adopted by the  
following vote:

Yeas—58.

Amsler.	Merritt.
Arnold.	Montgomery.
Baldwin.	Moore.
Barker.	Morgan
Barrett.	of Liberty.
Bell.	Pate.
Bird.	Patman.
Bryant.	Perdue.
Davis.	Pope.
Carpenter	Potter.
of Dallas.	Quinn.
Carpenter	Rogers.
of Matagorda.	Russell
Dinkle.	of Callahan.
Downs.	Sackett.
Driggers.	Sanford.
Duffey.	Shearer.
Edwards.	Smith.
Finlay.	Sparkman.
Green.	Stewart
Hardin of Erath.	of Edwards.
Harris.	Stewart of Jasper.
Howeth.	Stewart of Reeves.
Hughes.	Stiernberg.
Jennings.	Sweet.
Laird.	Teer.
Lane.	Turner.
McBride.	Vaughan.
McDaniel.	Wells.
McFarlane.	Westbrook.
Martin.	Wessels.
Melson.	

Nays—51.

Abney.	Gipson.
Atkinson.	Hardin.
Baker of Milam.	of Kaufman.
Baker of Orange.	Hendricks.
Beasley.	Irwin.
Blount.	Jacks.
Bonham.	Jones.
Burmeister.	Lackey.
Cable.	Looney.
Carson.	McNatt.
Carter of Coke.	Mathes.
Carter of Hays.	Maxwell.
Chitwood.	Morgan
Coffee.	of Robertson.
Collins.	Patterson.
Covey.	Pinkston.
Culp.	Pool.
Davenport.	Price.
Dunn.	Purl.
Faubion.	Quaid.
Fields.	Rice.
Fugler.	Robinson.

Rountree.  
Satterwhite.  
Simpson.  
Stell.  
Storey.

Thrasher.  
Wallace.  
Williamson.  
Wilson.  
Young.

Absent.

Greer.	Loftin.
Henderson	McDonald.
of McLennan.	McKean.
Hull.	Shires.
Kemble.	Stevens.
Lamb.	Stroder.
LeMaster.	Winfree.

Absent—Excused.

Avis.	Houston.
Bobbitt.	Johnson.
Brady.	LeSturgeon.
Cowen.	Lewis.
Crawford.	Lusk.
DeBerry.	Merriman.
Dielmann.	Miller.
Dodd.	Rowland.
Dunlap.	Russell of Trinity.
Durham.	Strickland.
Frnka.	Thompson.
Harrington.	Wilmans.
Henderson	
of Marion.	

#### BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 653, "An Act making an appropriation for the purchase of the electric voting machine now installed in the House of Representatives, and declaring an emergency."

H. B. No. 469, "An Act to amend Section 70 of Chapter 87 of the Acts of the Regular Session of the Thirty-fifth Legislature of Texas by providing for amortization and an emergency fund for water improvement and irrigation districts, and directing the purpose for which said fund shall be expended, and providing for its investment, and to amend Section 95 of said Chapter 87 by providing the method and manner of making and collecting water assessments, and declaring an emergency."

H. B. No. 270, "An Act providing for the disposition of liquor seized by officers and others under the prohibition laws of the State; providing that reports in triplicate be made and the liquor and other property be left with the sheriff, and receipt taken, and the sheriff held responsible on his bond for



the safe-keeping of the same, and providing penalties for the violation of this act."

H. B. No. 239, "An Act relating to and providing for vocational education; accepting and validating previous acceptances of the benefits of an act passed by the Congress of the United States, approved on February 23, 1917, for the promotion of vocational education; designating the State Treasurer of the State of Texas as custodian for the reception and disbursement of all funds allotted to this State from appropriations made by the said act of Congress; designating and authorizing the State Board of Vocational Education as the State Board of Vocational Education to act in co-operation with the Federal Board of Vocational Education in the administration of the provisions of said act; making an appropriation of \$223,038.42, or so much thereof as may be necessary, for the fiscal year 1923-24, and an appropriation of \$267,723.90, or so much thereof as may be necessary, for the fiscal year 1924-25; naming conditions under which aid may be extended by the State Board of Vocational Education, and declaring an emergency."

#### RECESS.

Mr. Jones moved that the House recess to 7:30 o'clock p. m. today.

Mr. Purl moved that the House recess to 8 o'clock p. m. today.

Mr. Hardin of Kaufman moved that the House adjourn to 9 o'clock a. m. tomorrow.

The motion of Mr. Purl prevailed and the House, accordingly, at 6:10 o'clock p. m., took recess to 8 o'clock p. m. today.

#### NIGHT SESSION.

The House met at 8 o'clock p. m. and was called to order by the Speaker.

#### HOUSE BILL NO. 506 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 506, A bill to be entitled "An Act to amend Article 3104 so as to provide that no candidate for a State or a district office shall be required to pay not exceeding one dollar as his portion of holding the primary election at which such candidate is seeking nomination, and declaring an emergency."

The bill was read third time and was passed.

#### HOUSE BILL NO. 402 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 402, A bill to be entitled "An Act to create a private game farm on the island of St. Joseph, Aransas county, Texas; declaring certain game birds and animals obtained in Mexico and liberated on said island to be the private property of the owner of said island; providing that it shall not be unlawful for transportation companies to accept game for transportation that is propagated on St. Joseph Island, and declaring an emergency."

The bill was read third time and was passed.

#### HOUSE BILL NO. 409 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 409, A bill to be entitled "An Act to provide additional compensation to official shorthand reporters of Texas in judicial districts composed of two or more counties, by allowing compensation for actual and necessary expenses when engaged in the discharge of their official duties in counties other than the county of their residence, and declaring an emergency."

The bill was read third time and was passed.

#### HOUSE BILL NO. 572 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 572, A bill to be entitled "An Act to give consent of the State of Texas to the acquisition by the United States Government of land in the State for national forests and parks; retaining to the State concurrent civil and criminal jurisdiction, and authorizing Congress to enact all such legislation as deemed necessary to protect and administer such national forests and parks."

The bill was read third time and was passed.

#### HOUSE BILL NO. 640 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 640, A bill to be entitled "An Act to amend Section 23, Chapter 44, Acts of the Thirty-fifth Legislature, First Called Session, relating to the use of the adopted text books in the public free schools; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read third time and was passed.

#### EXTENDING THANKS TO CITIZENS OF AUSTIN.

Mr. Carpenter of Dallas offered the following resolution:

Be it resolved by the members of the Thirty-eighth Legislature, That during the sixty days which the Thirty-eighth Legislature has been in session the members of the House have received many courteous and cordial attentions from the citizens of Austin for which they are very grateful and desire to give an expression of their thanks to the citizens of Austin, individually and collectively and particularly to the following named organizations which have extended their hospitality and courtesy to the members of the Legislature in such a generous and pleasant way that the thought of their kindness will linger long in our minds and hearts.

We are particularly grateful to the Chamber of Commerce for the delightful barbecue given at Camp Mabry, so much enjoyed by us all.

We are also under many obligations to the Country Club and to the Elks' Club for the courtesy of their houses of entertainment and the cordiality of their members.

We shall never forget the delightful evening spent at the Masonic Dormitory, where many sweet girls of Texas live during their attendance upon the University, as well as the Department of Home Economics of the University of Texas, where we were entertained in a way which is typical of the Texas hospitality, by the members of that department.

We have enjoyed all these things. We have been benefited by our stay in Austin and our contact with the citizens of Austin and with the members of the organizations named for whose courtesies we again desire to say we are in grateful appreciation.

Signed—Carpenter of Dallas. Teer, Edwards.

The resolution was read second time and was adopted by a rising vote.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House amendments to Senate bills Nos. 406, 262, 291, 267 and 134.

The Senate has concurred in House amendments to Senate bill No. 325 by the following vote: 28 yeas and no nays.

The Senate grants the request of the House for a free conference committee on House bill No. 45, and the following are appointed on said committee on behalf of the Senate: Senators Wood, Baugh, Davis, Rice and Thomas.

Senator Pollard has resigned from the free conference committee on House bill No. 134 and Senator McMillin has been appointed to serve in his place.

The Senate has passed

H. B. No. 553, A bill to be entitled "An Act to amend Section 52 of Article 30, Title 5 of the Revised Statutes, changing the time of holding the terms of the district court of the Fifty-second Judicial District of Texas, repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

H. B. No. 585, A bill to be entitled "An Act to amend Section 1, Chapter 6, of the Acts of the Regular Session of the Thirty-fourth Legislature, so as to change the time and terms of holding the district court in the Seventy-eighth Judicial District of Texas, composed of Wichita county; to validate all process heretofore issued, bonds and recognizances heretofore taken in the courts of said district, and all judgments therein rendered or to be rendered; repealing all laws in conflict therewith, and declaring an emergency."

H. B. No. 564, A bill to be entitled "An Act amending Sections 6 and 6a of Chapter 8, being House bill No. 45, passed at the First Called Session of the Thirty-seventh Legislature of the State of Texas, and entitled 'An Act to amend Chapter 46 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-fifth Legislature, being an act to reorganize the Twenty-eighth Judicial District of the State of Texas, etc.,' and providing for the changing and fixing the time of holding the courts in the Twenty-eighth Judicial District of Texas, and validating and continuing all processes and writs, bonds, recognizances and jurors heretofore

selected, etc., returnable to the terms of court as they now exist, and continuing in session any court in said district now in session until adjourned by the judge thereof, and declaring an emergency."

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

#### HOUSE BILL NO. 264 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage.

H. B. No. 264, A bill to be entitled "An Act to amend Section 1 of Chapter 65 of the Acts of 1919 enacted at the Second Called Session of the Thirty-sixth Legislature, it being also Article 2817½ of the volume known as Complete Texas Statutes, 1920, so as to provide that the notice of the election for the consolidation of two or more common school districts, therein provided for, may be given by either the sheriff or the county judge, and declaring an emergency."

The bill was read third time and was passed.

#### HOUSE BILL NO. 311 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 311, A bill to be entitled "An Act amending Section 14 of Article 7355 of the Revised Civil Statutes of 1911, relative to occupation taxes, fixing the amount of taxes to be levied on all circuses, shows, amusement companies, trained animal shows, wild west shows, carnival companies and character of similar exhibitions; conferring upon counties, incorporated cities, towns and villages authority to levy occupation taxes; providing for the bringing of suits for the collection of such taxes due the State of Texas and fixing the venue thereof; specifically repealing the provisions made in Section 15 of Article 7355, pertaining to carnivals, shows, amusements or entertainments held under the auspices, direction or control of any chamber of commerce of any city or other similar organizations and generally repealing all laws in conflict herewith, and declaring an emergency."

The bill was read third time.

Mr. Baldwin offered the following amendment to the bill:

Amend caption to House bill No. 311 by inserting after the date "1911," where same appears the second time in the caption, and before the word "con-

ferring," the following: "providing nothing in this act shall authorize any gambling device and providing penalty for violation of this provision of this act."

The amendment was adopted.

Mr. Blount offered the following amendment to the bill:

Amend House bill No. 311, page 2, of the engrossed bill by striking out the words "provided in no instance will a tax equal to less than an amount for five years be collected."

The amendment was adopted.

Mr. Davenport moved the previous question on the bill, and the main question was ordered.

House bill No. 311 was then passed.

Mr. Purl moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

#### HOUSE BILL NO. 392 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 392, A bill to be entitled "An Act declaring any person related within the third degree by affinity or consanguinity to an heir, legatee or devisee who is a minor or person non compos mentis under estate within the provisions of Title 52 of the Revised Statutes of 1911, to be a person interested in such estate and authorized to do any act which a person so interested may do under the provisions of said Title 21 of the Revised Civil Statutes of 1911, and declaring an emergency."

The bill was read third time, and was passed.

#### ADJOURNMENT.

Mr. Quaid moved that the House adjourn until 9:30 o'clock a. m. tomorrow.

Mr. Satterwhite moved that the House adjourn until 9 o'clock a. m. tomorrow.

The motion of Mr. Satterwhite prevailed, and the House, accordingly at 10:15 o'clock p. m., adjourned until 9 o'clock a. m. tomorrow.

#### APPENDIX.

#### STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

Judiciary—House bill No. 684.

Appropriations—Senate bill No. 11.

State Affairs—Senate bill No. 353.  
Public Lands and Buildings—Senate bill No. 418.

The following committee has filed unfavorable report on a bill as follows:

Game and Fisheries—Senate bill No. 101.

#### REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, March 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 640, A bill to be entitled "An Act to amend Section 23, Chapter 44, Acts of the Thirty-fifth Legislature, First Called Session, relating to the use of the adopted text books in the public free schools; repealing all laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.  
DINKLE, Chairman.

Committee Room,

Austin, Texas, March 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 572, A bill to be entitled "An Act to give consent of the State of Texas to the acquisition by the United States Government of land in the State for national forests and parks; retaining to the State concurrent civil and criminal jurisdiction, and authorizing Congress to enact all such legislation as deemed necessary to protect and administer such national forests and parks,"

And find the same correctly engrossed.  
DINKLE, Chairman.

Committee Room,

Austin, Texas, March 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 409, A bill to be entitled "An Act to provide additional compensation to official shorthand reporters of Texas in judicial districts composed of two or more counties, by allowing compensation for actual and necessary ex-

penses when engaged in the discharge of their official duties in counties other than the county of their residence, and declaring an emergency,"

And find the same correctly engrossed.  
DINKLE, Chairman.

Committee Room,

Austin, Texas, March 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 506, A bill to be entitled "An Act to amend Article 3104 so as to provide that no candidate for a State or a district office shall be required to pay not exceeding one dollar as his portion of holding the primary election at which such candidate is seeking nomination, and declaring an emergency,"

And find the same correctly engrossed.  
DINKLE, Chairman.

Committee Room,

Austin, Texas, March 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 402, A bill to be entitled "An Act to create a private game farm on the Island of St. Joseph, Aransas county, Texas; declaring certain game birds and animals obtained in Mexico and liberated on said island to be the private property of the owner of said island; providing that it shall not be unlawful for transportation companies to accept game for transportation that is propagated on St. Joseph Island, and declaring an emergency,"

And find the same correctly engrossed.  
DINKLE, Chairman.

Committee Room,

Austin, Texas, March 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 412, A bill to be entitled "An Act appropriating the total sum of twenty-six hundred and eighty-eight dollars (\$2688) to Carl L. Estes, former sergeant of Troop L, 5th Texas National Guard Regiment, or his care and provision, and as partial compensation for permanent physical disability incurred

in line of military duty while in the service of the State of Texas at Camp Stanley, Texas, in October, 1918. Of said total appropriation, the sum of five hundred and twenty-eight dollars (\$528) being for a deficiency from the period of November 1, 1919, to November 30, 1921, and the sum of twenty-one hundred and sixty dollars (\$2160) being for the care, provision and partial compensation of said Carl L. Estes from December 1, 1921, to and including December 31, 1924,"

And find the same correctly engrossed.  
DINKLE, Chairman.

Committee Room,  
Austin, Texas, March 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 636, A bill to be entitled "An Act to amend Section 1, Chapter 65, Acts of the Thirty-sixth Legislature, Second Called Session, providing for the dissolution of consolidated school districts by majority vote of the qualified voters of the district at an election held for that purpose, and declaring an emergency,"

And find the same correctly engrossed.  
DINKLE, Chairman.

Committee Room,  
Austin, Texas, March 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 248, A bill to be entitled "An Act to amend Chapter 37 of the Acts of the First Called Session of the Thirty-third Legislature of the State of Texas, being an act to amend certain articles of Chapter 5, Title 14, Revised Criminal Statutes, 1911, and certain articles of Title 131, Revised Civil Statutes, 1911; and Chapter 126 of the Acts of the Regular Session of the Thirty-sixth Legislature of Texas, being an act to establish a uniform warehouse receipt, and Chapter 54 of the Second Called Session of the Thirty-sixth Legislature of Texas, being an act to amend Article 7819, Revised Civil Statutes, 1911; providing for the conduct of the business of public warehousemen; defining certain terms used in this act; defining who are public warehousemen; providing that all persons shall obtain

certificate from the commissioner authorizing the operation of public warehouses; requiring bond to be filed; providing for inspection of warehouses before issuing certificate; requiring records to be kept; providing for inspection and examinations; requiring quarterly reports and prescribing contents of same; requiring other reports to be made on request of commissioner; providing for cancelling of certificates of warehousemen, prescribing duties of public warehousemen, and providing for liens to secure their charges; providing for the enforcement of liens; providing for uniform receipt; defining warehouseman's powers; providing penalties; repealing certain statutes, and declaring an emergency,"

And find the same correctly engrossed.  
DINKLE, Chairman.

Committee Room,  
Austin, Texas, March 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 351 A bill to be entitled "An Act to amend Title 10 of the Code of Criminal Procedure of the State of Texas, as revised and adopted in 1911, by inserting immediately following Article 905 of said title a new article to be known as Article 905a, requiring clerks of trial courts to notify clerks of courts of criminal appeals of the release of a convicted person on appeal bond, and requiring a certified copy of appeal bond to accompany the notification, and requiring a like notification on the surrender to a sheriff of a convicted person by his bondsmen pending the appeal of his case to Court of Criminal Appeals,"

And find the same correctly engrossed.  
DINKLE, Chairman.

Committee Room,  
Austin, Texas, March 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 684, A bill to be entitled "An Act to create the County Court of Tarrant County for Civil Cases No. 2, and prescribing the jurisdiction thereof; giving said court concurrent jurisdiction with the County Court of Tarrant County for Civil Cases in all matters and causes over which the County Court

of Tarrant County for Civil Cases has jurisdiction; fixing the salary of the judge of the County Court of Tarrant County for Civil Cases No. 2; providing for the appointment and election of the judge of said court hereby created and providing for the filling of vacancies in said office; providing for the transfer of causes from the docket of the County Court of Tarrant County for Civil Cases to the dockets of the court hereby created, by the county clerk of Tarrant county, and providing for the transfer of causes from the dockets of the County Court of Tarrant County for Civil Cases to the docket of the court hereby created by the judge of the County Court of Tarrant County for Civil Cases, at his discretion, and providing for the transfer of causes from the dockets of the County Court of Tarrant County for Civil Cases by the judge of the court hereby created, at his discretion, and providing for the appointment of an official shorthand reporter who shall be an officer of the court hereby created, and declaring an emergency."

And find the same correctly engrossed.  
DINKLE, Chairman.

Committee Room,  
Austin, Texas, March 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 577, A bill to be entitled "An Act to amend Article 2862 of the Revised Civil Statutes of the State of Texas, 1911, so as to permit independent school districts to have their taxes assessed and collected by the county assessor and the county collector without being required to have such assessments made at the same valuations that are used for State and county taxation, and declaring an emergency,"

And find the same correctly engrossed.  
DINKLE, Chairman.

Committee Room,  
Austin, Texas, March 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 224, A bill to be entitled "An Act making it an offense to drive an automobile or any motor-driven vehicle upon the streets of any incorporated city, town or village or upon the

public highways under the influence of intoxicating liquor, and declaring an emergency,"

And find the same correctly engrossed.  
DINKLE, Chairman.

Committee Room,  
Austin, Texas, March 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 420, A bill to be entitled "An Act for refunding certain bonds of the State of Texas now owned by the permanent school fund; providing for the execution of new bonds in lieu thereof; providing method of exchange of said bonds; making appropriation to pay accrued interest and to pay expense of lithographing bonds, and declaring an emergency,"

And find the same correctly engrossed.  
DINKLE, Chairman.

Committee Room,  
Austin, Texas, March 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 174, A bill to be entitled "An Act to authorize any county for the purpose of constructing, maintaining and operating public roads, whether such roads are macadamized, graveled or paved, or built of other material, to use timber, earth, sand, stone, gravel or other necessary materials convenient therefor, and to provide for the condemnation of such road material, and prescribing condemnation proceedings, and providing compensation for such material and declaring an emergency,"

And find the same correctly engrossed.  
DINKLE, Chairman.

Committee Room,  
Austin, Texas, March 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 696, A bill to be entitled "An Act to repeal Senate bill No. 355, passed by the Thirty-eighth Legislature of the State of Texas, entitled 'An Act to create the Palo Pinto Independent School District out of a part of the

Matamoros Common School District and the Bishop Independent School District in Nueces county, Texas; defining its boundaries; providing for a board of trustees in said district; conferring on said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of the State upon independent school districts and the boards of trustees thereof; providing for the election of trustees, raising of revenue, providing for the payment by the Palo Alto Independent School District of the pro rata share of the bonded indebtedness of the Bishop Independent School District, and validating said obligation; providing for the commissioners to fix the pro rata share of said bonded indebtedness; repealing all laws insofar as they conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.  
DINKLE, Chairman.

Committee Room,  
Austin, Texas, March 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 112, A bill to be entitled "An Act to amend Article 5988 of the Revised Civil Statutes of the State of Texas of 1911, as amended by Chapter 40 of the Acts of the Thirty-fifth Legislature, Regular Session, approved February 23, 1917, so as to authorize the navigation and canal commissioners of navigation districts to fix the amount of the treasurer's bond in such sum as they deem proper,"

And find the same correctly engrossed.  
DINKLE, Chairman.

Committee Room,  
Austin, Texas, March 11, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 411, A bill to be entitled "An Act granting permission to Cleo Fletcher to bring suit against the State of Texas, in the district court of McLennan county, Texas, or Coryell county, Texas, for personal injuries claimed to be due said Cleo Fletcher for the loss of a leg while in the re-

formatory for juveniles, and declaring an emergency,"

And find the same correctly engrossed.  
DINKLE, Chairman.

#### REPORTS OF COMMITTEE ON ENROLLED BILLS.

Committee Room,  
Austin, Texas, March 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 682, "An Act to amend Sections 1 and 5 of Chapter 6 of the Special Laws enacted by the Thirtieth Legislature, same being an act creating the Baird Independent School District in Callahan county, Texas, as amended by Chapter 25 of the Thirty-first Legislature; re-defining the boundaries of said district; validating all tax levies now in force; repealing all laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 10:15 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 674, "An Act exempting Travis county for a period of two years from the provisions of Chapter 12, Section 3, Acts of 1917, Third Called Session, as amended by Chapter 87, Section 3, Acts 1918, Fourth Called Session, and providing for an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 10:15 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 660, "An Act creating and incorporating Lakeview Independent School District in Dawson county, Texas,

out of territory now comprising Lakeview Common School District No. 25; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualifications, powers, duties and authority; authorizing the board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds; providing for an assessor and collector of taxes and a board of equalization; providing that said Lakeview Independent School District shall assume and discharge any and all bonds and other indebtedness constituting valid and binding obligations of said Lakeview Common School District No. 25 of Dawson county; validating and continuing in force any and all taxes heretofore voted and now in force in such common school district; providing that title to any and all property of said common school district shall vest in the trustees of independent school district hereby created; providing for filling vacancies on the board of trustees; providing for a seal for said district; providing that the board of trustees shall be governed by the general laws of Texas in all matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any section or provision of this act shall not invalidate any remaining provisions hereof, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 10:05 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 652, "An Act to create the Knox City Independent School District in Knox county, Texas, including the present Knox City district of said county; providing for a board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing that the Knox City district shall continue to act as such until their successors are elected in accordance with the general laws of Texas; providing for the exten-

sion of the boundaries of said district, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 10:05 o'clock a. m. presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 551, "An Act amending Section 2 of Chapter 72 of the Local and Special Laws of the State of Texas, passed by the Thirty-eighth Legislature at its Regular Session, said act being an act creating the Tynan Independent School District in Bee county, San Patricio and Live Oak counties, Texas; said act being amended by changing boundaries of said district set out in Section 2 thereof, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day at 10:05 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 90, "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1892, and which have failed or are about to fail to construct their roads and branches, or any part thereof, within the time required by law, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 4:05 o'clock p. m., presented same to the Governor for his approval.

STIERMBERG, Acting Chairman.

Committee Room,  
Austin, Texas, March 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 375, "An Act creating the Carbon Independent School District in Eastland county, Texas; defining its boundaries; providing for a board of



trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges, duties and liabilities now conferred and imposed by the general laws of Texas upon independent school districts and the board of trustees thereof; declaring that all taxes or bonds heretofore authorized by any former school district included within the bounds thereof shall remain in full force and effect, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 10:05 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 142, "An Act to appropriate the sum of one hundred thousand dollars, or as much thereof as may be necessary, out of the revenues of the State, for the erection of an administration building for the Extension Service of the Agricultural and Mechanical College of Texas, and the sum of fifteen thousand dollars out of the general revenues of the State for the repair and remodeling of Gathright Hall,"

Have carefully compared same and find it correctly enrolled, and have this day, at 4:05 o'clock p. m., presented same to the Governor for his approval.

STIERNBERG, Acting Chairman.

Committee Room,  
Austin, Texas, March 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 328, "An Act to repeal Article 7383a as enacted by the Thirty-sixth Legislature relating to occupation taxes based upon gross receipts and adding in lieu thereof a new Article 7383a, providing an occupation tax on sulphur produced in the State of Texas by individuals, companies, corporations and associations; providing that in the event of either or a part of article be held unconstitutional by the courts it shall not invalidate the remainder of said article, and declaring an emergency,"

Have carefully compared same and

find it correctly enrolled, and have this day, at 4:05 o'clock p. m., presented same to the Governor for his approval.

STIERNBERG, Acting Chairman.

Committee Room,  
Austin, Texas, March 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 425, "An Act to amend Chapter 2 of Title 104 of the Revised Civil Statutes of 1911, as amended by Chapter 32, General Laws First Called Session, Thirty-fifth Legislature, pertaining to the management and control of the prison system of this State, by adding thereto another article, to be known as Article 6231b, so as to exempt the Board of Prison Commissioners and the members thereof from giving or making any cost bond, appeal bond, supersedeas bond, writ of error bond or other bond or security in any civil suit or action heretofore or hereafter brought by or against it, or them, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 10:05 o'clock a. m., presented same for the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,  
Austin, Texas, March 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 537, "An Act to provide for the designation of district judges to hold special terms of court in the various judicial districts in the State when accumulation or urgency of business or the public interest justify or require such designation; providing for the manner of designation and providing further for the appointment of a clerk by the Supreme Court; prescribing his duties and fixing his salary; and prescribing the manner in which reports shall be made by the various district clerks to the Supreme Court showing the condition of the dockets of the various district courts, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 10:05 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 31, Relating to survey of prison system,

Have carefully compared same and find it correctly enrolled, and have this day, at 11:30 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,

Austin, Texas, March 10, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 495, "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes of Texas, 1911, as amended by Chapter 72, General Laws of the Thirty-third Legislature, and Chapter 131, General Laws of the Thirty-fifth Legislature, and Chapter 10 of the Third Called Session of the Thirty-fifth Legislature, and Chapter 13 of the Fourth Called Session of the Thirty-fifth Legislature, and Chapter 35 of the Acts of the Regular Session of the Thirty-sixth Legislature, and Chapter 105 of the Acts of the Regular Session of the Thirty-sixth Legislature, and Chapter 50 of the General Laws of the Third Called Session of the Thirty-sixth Legislature, and Chapter 32 of the General Laws of the Regular Session of the Thirty-seventh Legislature, and Chapter 10 of the General Laws of the First Called Session of the Thirty-seventh Legislature, with reference to the mode of preventing horses and certain other animals from running at large in the counties named so as to include Leon and Refugio, Fort Bend counties,"

Have carefully compared same and find it correctly enrolled, and have this day, at 4:05 o'clock p. m., presented same to the Governor for his approval.

STIERNBERG, Acting Chairman.

Committee Room,

Austin, Texas, March 12, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 95, "An Act to amend Section 7, Part 1, Section 8, Section 8a, Part 1, Section 10, Part 1, Section 11, Part 1, Section 12, Part 1 and Section 3, Part 2 and Section 23, Part 3, Sec-

tion 3, Part 1, Section 15a, Part 1 and Section 1a, Part 4 of Chapter 103 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature, entitled 'An Act to amend Chapter 179 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-third Legislature entitled "An Act relating to employers' liability and providing for the compensation of certain employes and their representatives and beneficiaries, for personal injuries sustained in the course of employment and for deaths resulting from such injuries, and to provide and determine in what cases compensation shall be paid and to make the payment thereof more certain and prompt by the creating of an insurance association to insure and guarantee such payments, and of an industrial accident board for the investigation of claims and for the adjudication thereof for consenting parties; fixing the membership and powers of said board and its compensation and duties, and the method of its appointment and the term of office of its members, and fixing also the powers, duties and liabilities of said insurance association and extent of control over same to be exercised by the Commissioner of Insurance and Banking, and providing also for the insurance of payments of compensation to employes by certain other insurance companies and organizations, and declaring an emergency," and declaring an emergency'; so as to provide the period during which the association shall furnish medical aid, hospital services and medicines, so as to provide for increased maximum compensation allowed under this act, so as to provide for notice to employes, so as to provide who shall take in case of death, and so as to increase the compensation of members of the Industrial Accident Board, and so as to provide for adequate reserves to meet anticipated losses and carry all claims to maturity and policies to termination, in accordance with rules approved by Commissioner of Insurance and Banking, and to provide for investment of reserves and to permit re-insurance, same as casualty companies organized under the general laws of Texas, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 4:05 o'clock p. m., presented same to the Governor for his approval.

STIERNBERG, Acting Chairman.

**In Memory**  
**of**  
**Hon. C. D. Mims**

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The Speaker laid before the House for consideration at this time the following resolution:

Whereas, It has come to the knowledge of the House that Hon. C. D. Mims, former Secretary of State of Texas, has been suddenly called by our Heavenly Father to his final reward; and

Whereas, The State has lost an honorable, upright, and useful citizen; therefore, be it

Resolved by the House of Representatives of Texas, That we extend to his family and friends our most sincere sympathy and condolence in their bereavement and irreparable loss, and when the House adjourns that it do so in honor of his memory.

The resolution was read second time and was adopted by a rising vote.